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HISTORICAL MANUSCRIPTS COMMISSION.

IFTEENTH REPORT, APPENDIX, PART IX.

THE MANUSCRIPTS

OF

J. J. HOPE JOHNSTONE, Esq.

OF

ANNANDALE.

Presented to both Houses of Parliament by Command of Her Majesty.

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THE MUNIMENTS OF JOHN JAMES HOPE JOHNSTONE, ESQ., OF ANNANDALE, AT RAEHILLS HOUSE IN THE COUNTY OF DUMFRIES, BY SIR WILLIAM FRASER, K.C.B., EDINBURGH.

INTRODUCTION.

Division I.—Charters and Miscellaneous Writs.

The muniments now reported on form only one portion of the great mass of historical material which is in the muniment room at Raehills. Of this material the greater part consists of correspondence, the charters and other writs being comparatively few in number. A sufficient reason for the paucity of charters and papers is stated in No. 64 *infra*. James Johnstone of that ilk and Knight of Dunskellie complains that on 6th April 1585 certain Maxwells came to his house of the Lochwood and "brint the place, mantioun and haill house," with all its contents, "and brint and distroyit my chartour kist with my haill evidentis and wreittis, besyd uther jowellis." This loss is the more to be deplored that, judging from the contents of charter chests of other Dumfriesshire proprietors, the Johnstone writs probably went back to a very remote period.

Though the charters of the Johnstones which are still extant do not date further back than the year 1400, it can be proved from other records that they have held their lands of Johnstone and others in Annandale from the time of King William the Lion, and perhaps from the time of his grandfather King David the First. That bountiful monarch bestowed the whole of Annandale upon his friend and vassal, Robert Bruce in 1124. The grant was renewed by King David at a later date, and repeated by his grandson, King William the Lion, between 1165 and 1174. Not many years afterwards we find John, the founder of the family of Johnstone, giving his Christian name to his lands, whence his son Gilbert, between 1194 and 1220, took his surname. These facts are known from charters by members of the family of Bruce in the Record Office, London, and also in the muniment room at Drumlanrig, which record the existence of Gilbert, son of John, otherwise Gilbert of Jonistun (Johnstun or Johnston), between these dates. He appears in a baron court held by William de Brus about 1195, and as one of the sureties for William's son, Sir Robert Bruce, in a contract with Patrick, Earl of Dunbar, of date 11th November 1218. Other proofs might be adduced to show the long connection the Johnstone family have had with the Bruce Lords of Annandale.

The rise and progress of the family of Johnstone through so many centuries is remarkable. Their territorial acquisitions increased to great proportions. The popular tradition is that at one period the Johnstones could travel on their own land from the rise of the river Annan, on the confines of the county of Lanark, to the junction of that river with the Solway at the town of Annan. The important offices held by the

family as Wardens of the Marches, Stewards of Annandale, keepers of hereditary castles, and owners of extensive regalities, all added to their commanding influence. At the Restoration of King Charles the Second, James Johnstone, the second Earl of Hartfell, in 1661-2, obtained three new historical peerages of Earl of Annandale, Viscount Annand, and Lord Lochmaben, added to his already existing four peerages of Earl of Hartfell, Lord Johnstone of Lochwood, Moffatdale, and Evandale. His son, the second Earl of Annandale, inherited all these peerages, and was advanced by King William to the high rank of Marquis of Annandale. The Marquis held many public offices, and his official correspondence furnishes a large portion of the Annandale Collections.

The first part of the present Report, Nos. 1 to 101, deals with some of the family charters properly so called, but much more with a series of miscellaneous writs in the form of manrents, contracts, assurances of bodily safety, personal obligations, and others. These are selected from a number of similar writs as the best examples of their class, and, though they record no incidents of great moment, they are valuable as exhibiting the inner history of Border life under the Wardens of the Marches.

Taking a portion of the writs *seriatim*, No. 1 records a Gift by Archibald, fourth Earl of Douglas, in 1408, of the lands of Drumgrey, near Moffat, in Dumfriesshire, to William Johnstone. The royal charter, No. 2, by King James the Second, relates to the ancient family of Corbet of Hardgray in 1449. The charter is not enrolled in the existing Register of the Great Seal. The next royal charter, No. 3, by the same sovereign, in 1455 records the gift of the office of Steward of Annandale to John Maxwell, son of Robert Lord Maxwell, whose ancestors had held the office from 1410 under the Earls of Dougias. This royal charter is also not enrolled in the existing Register of the Great Seal. The Notarial Instrument No. 4 gives the boundaries of lands within the territory of Lochmaben, then belonging to Thomas Corbet. These boundaries contain names of castles, lochs, and references which will be of much interest to local antiquarians. An early Retour of Inquest in 1457, held by the sheriff of Edinburgh and a jury, affords the names of several of the Johnstones of Dumfriesshire. No. 6 contains an official narrative as to the evidence of a marriage between Walter Turnbull of Gargunnock and his wife Margaret Norvell, one of the heiresses of that estate, which forms an interesting pendant to some papers reported on among the muniments of Lord Elphinstone, in which the same parties are referred to. [*Cf.* Ninth Report, App. II., pp. 183, &c.] Nos. 7 to 14 are, perhaps, of more interest to the genealogist or antiquary than to the historian, but in No. 15 we have one of that class of personal documents which constitute so large a part of this report. In it John Johnstone, then Laird of Johnstone, and Robert Graham of Thornick, bind themselves mutually to maintain and uphold each other in all actions—an agreement which was confirmed by a contract of marriage between the parties [No. 17] for the union of their children [*Cf. also* No. 27].

In 1535, as indicated in No. 23, the Laird of Johnstone was warded by command of King James the Fifth, apparently because of friction between him and Lord Maxwell, or for sympathy with the Armstrongs. The "Ordinance," &c., set forth in No. 20 contains regulations for the peace and good rule of the Borders, dealing, however, only with offences committed within Scotland. There is, at this stage, no reference to any crimes committed by the Borderers on English ground. Legislation on that point was to come later. At that date, 1540, and for

some years afterwards, strong measures, as in the case of the Armstrongs and others, were only taken against the Border clans when they made themselves too obnoxious to their own countrymen. As regards England, they were looked upon in the light of a troublesome but useful means of retaliation on that country, and their offences there condoned. In the present regulations the lords, barons, and landed men, of whom, no doubt, the Laird of Johnstone was one, bound themselves to punish any man dwelling on their lands who committed offences against the person and property of his neighbours. The Laird, however, appears to have been somewhat remiss, and again fell under the displeasure of King James the Fifth, who, we learn from No. 103, imprisoned him in Dumbarton Castle. He was soon liberated, after the defeat at Solway, and appointed as acting Warden to aid in the defence of the realm [No. 104].

It was probably in his capacity as a deputy warden that Johnstone promised to use his influence [No. 21] to obtain the redemption of Henry Stewart of Rosyth, who had been taken prisoner at the "raid of the Solane Mos," and was detained in England. He also [No. 22] entered into an agreement with James Douglas, of Drumlanrig, for mutual aid and defence. No. 23, in which Johnstone brings a summons of writ of error against a jury for serving Symon Carruthers, as heir of Mouswald, and making erroneous statements, is interesting as indicating the procedure in such cases, and also for the touch of personal biography contained in the closing sentence of the writ [1534–1567].

This Johnstone of Johnstone was much in favour with the Regent Arran, and there was a matrimonial connection between their families. He received numerous grants of land [not reported] and other marks of favour for his active service on the Borders, both as deputy Warden and also in defence of his country against English encroachments, though his usefulness was impaired by divisions, fostered by the English Warden, with the Maxwells. He was, however, taken prisoner early in 1547, and remained a captive in various English strongholds for two or three years, while Lochwood, his principal residence, was seized by an English adventurer, Sir Thomas Carleton. Johnstone was liberated before April 1550.

Hitherto, as indicated, the Borderers were allowed to make retaliations upon English soil for the constant raids and petty invasions made by Sir Thomas Wharton and other English Wardens, when the countries were at strife during the earlier years of Queen Mary. But in 1551 commissioners from both kingdoms met at Norham and concluded a peace, whilst they also fixed the bounds of England and Scotland in what was called the Debateable land. From this time it became the duty of the Wardens on both sides of the March to punish all who broke the laws in this respect. Queen Mary of Guise, especially, after she assumed the Regency directed very strong efforts to put down crime against person and property so far as her own subjects were concerned, and rigidly to observe the "peax and amite" between herself and Mary of England.

To effect this result, not only were the chiefs of the Border clans made responsible for their men and servants, but the most prominent members of the various clans or families were carried off from the Borders, and placed in sure keeping in different parts of the country as pledges for the good behaviour of their friends. Among other heads of clans and landed proprietors the Laird of Johnstone was bound to present, when required, any culprit that he might be punished. For neglect of this duty he himself was imprisoned by the Queen's orders, and then liberated that he might perform the duty of entering pledges

of his clan for keeping good rule. The Privy Council, at the same time in October 1554, issued a charge to all the Johnstones and those who formed the clan, to concur with their chief in this matter.

It is in this connection that many papers in this report are valuable. They show not merely the methods adopted by the Scottish executive to secure peace and good order among the Borderers, but also the inner legislation of the clan for itself under its chief and as regards its neighbours. The bond of manrent [No. 24] granted to the Laird of Johnston by Nicol Graham may be taken as indicating the attitude of each vassal towards his chief, and No. 29 shows a more domestic and kindly side of that relationship. No. 30 is the first of the documents in which the clan, as a clan, comes into play as a factor in its own civilisation. In that writ twenty-three Johnstones and five Grahames gathered at the chapel of Dinwoodie on 14th November 1555, after dwelling on the fact that the Queen has their pledges for good rule captives in various castles, which "is tedius and veray sumptuous" to them and too expensive, desire the Laird of Johnstone to aid them in obtaining freedom for their "pledges." They bind themselves to act as a local police, and to seize any offender to deliver him to the Laird for punishment; and, failing the apprehension of a culprit, to punish him by fire and sword upon his property. On the strength of this obligation the Laird appeared before the Privy Council in February 1556, and bound himself to abide by the advice of his clan in matters relating to the tranquillity of the country. He also craved indemnity for any bloodshed that might occur in the execution of the laws. Under this bond matters appear to have been quiet for a time, though in 1560 letters were issued charging a number of Johnstones and others to concur with their chief, and to obey the wardens [No. 31]. The troubled state of Scotland, then in the birth-throes of the Reformation, may have caused the above order, but from No. 106 we find the Laird of Johnstone again in ward in July 1565, and liberated as before to use his influence on the Border.

This John, Laird of Johnstone, after being in possession of the barony of Johnstone for more than forty years, died in 1567, and was succeeded by his grandson of the same name, who was one of the adherents of the House of Hamilton, and a member of the "Queen's party" after her flight to England [*Cf.* No. 38]. He joined with Scott of Buccleuch and other Border Chiefs in a raid into England on the day after the Regent Moray's assassination. But during the brief regency of the Earl of Lennox he submitted, and was received to favour [No. 34]. The same relations prevailed between him, his clan, and the Government as in his grandfather's time. We find, as in Nos. 35 and 41, similar bonds of manrent and of maintenance, and a peculiar form of the latter in No. 43. We find also various bonds, like No. 36, where certain Elliots, whose kinsman was held in surety by Johnstone, "borrow" him for a time, and bind themselves to render a prisoner again when required, all parties giving an assurance of mutual safety meanwhile. The brief but significant letter accompanying this bond by "The Lady Corheid," shows her great anxiety for the safety of the bearer by "avoiding thame of Dryf or Gillisbe becaus of thair feid." No. 37 gives an interesting account of the formalities with which the making or breaking of bonds "of kyndnes" was treated, the occasion being the sudden seizure of some Johnstones by the Weirs of Blackwood. Nos. 39 and 40 relate to another phase of clan legislation, where a number of Johnstones, Grahames, Irvings, and Armstrongs bind themselves to submit to the decision of 12 arbiters as to questions between them, an example followed later [No. 44] by the whole clan Johnstone

as to internal questions among themselves. This is followed by another general bond to aid their chief, who had become responsible to the Government, in punishing criminals within their bounds.

A document containing a reference to the Abbey of Soulseat, a place of which very little is known, will be found in No. 42 [*Cf.* No. 107]. The Johnstones had close relations with this Abbey, more than one of the name being commendator. *See also* No. 84 for the latter will of John Johnstone, 14th April 1600, the latest commendator.

On 27th August 1579, John Johnstone of that ilk was appointed Warden of the West Marches [No. 46] and had a garrison of horsemen assigned him to keep order in his district [*Cf.* No. 51]. In his capacity as Warden he received, among other bonds and assurances, offers of compensation and repentance for the slaughter of certain persons, characteristic in their tone [Nos. 49, 55]. A similar document, which, however, does not relate to Johnstone, though he was interested, is No. 48, the proposals by Ker of Ferniehirst to the Earls of Morton and Angus, and reply [*Cf. also* No. 121]. In No. 56 we have the indignant protest and an appeal to arms in defence of their own good faith by certain Bells, and in No. 57 a personal bond by a captive who desired his liberty from the Warden. He had been confined in the house of Torthorwald, which was specially commended by King James to the Warden's care [No. 109].

It is needless to particularise all the minor bonds and mutual assurances which are granted at this period to the Laird of Johnstone, created Sir John Johnstone in 1584. But, besides the bonds of assurance and manrent already mentioned, there was also another assurance of a more formal and comprehensive kind entered into between Sir John Johnstone of Johnstone and Dunskellie, knight, and his three neighbouring chiefs, John Maxwell, Earl of Mortoun, and the Lairds of Drumlanrig and Applegarth. The original of that formidable assurance is not preserved. But a list was prepared in reference to it, and shows the terms of the assurance. It bears to be of the whole clan and surname for whom Sir John Johnstone bound himself to answer. It is engrossed in a contemporary hand on eight pages, folio size, of a small distinct writing. It contains 414 names, of course chiefly of the name of Johnstone, but also numbers of Irvings, Grahams, Moffats, French, and others, and also tenants and servants who are not particularly named. The list bears no date, but it must have been prepared between 1584, when Sir John Johnstone was knighted, and 1587, when he died.[1]

It was in the time of Sir James Johnstone of Johnstone and Dunskellie, Knight, that the feud with the Maxwells, which had lasted for so long, came to a tragical crisis by the death of Lord Maxwell in one of the last Border battles at Dryfe Sands on 6th December 1593, and the murder of Sir James Johnstone himself in 1608. Reference has been made to the burning of Lochwood in 1585 by the Maxwells. It was, however, apparently again made habitable before November 1587 [*Cf.* No. 61]. In 1590 an attempt was made [*Cf.* Nos. 64, 65] to bring about a reconciliation by means of arbitration, and on 5th April 1592 [No. 68] a mutual bond of amity was signed, also a similar document in the following March [No. 70], but the feud was complicated by other considerations [*Cf.* No. 71]. The Maxwells named in No. 72 were evidently captives taken in the battle in which Lord Maxwell lost his life. On 30th June 1594, Sir James Johnstone made overtures to John, Lord Maxwell, son and heir of the deceased Lord

[1] Original List in the Annandale Charter Chest.

[No. 73], but to no immediate effect, though Lord Maxwell in 1605 formally forgave the murder [*Cf.* No. 91].

Interesting glimpses of the friendly relations between Sir James Johnstone and his own clan are afforded by Nos. 69 and 83, the latter wills respectively of John Johnstone of Greenhill and Gilbert Johnstone of Glenkill, who both speak in friendly terms of Sir James and his lady, and look to them to aid their families. A different side of the Laird's character appears in the spirited challenge and expression of opinion he gives when he thought himself wronged both by the King and by Sir James Douglas of Drumlanrig [Nos. 78, 79].

Feuds and slaughters died hard upon the Borders, and even down to 1600 [*Cf.* No. 85] there were blood feuds kept up between rival families. In 1602, King James and his council attributed the evil conditions of Border life to the decay of the churches and consequent want of "preaching of the word and exercise of trew religioun" in that district, and Sir James Johnstone was ordered to convene the parishioners of certain parishes to tax themselves for repair and rebuilding of their parish churches [No. 87]. More forcible coercion was exercised in 1603 after the King's departure for England by the appointment of a guard on the Borders [*Cf.* No. 113].

In 1597 and 1605 Sir James was imprisoned in the Castle of Edinburgh. On the latter occasion he appears to have made his escape [Nos. 90, 92, 112]. Three years later he was slain by Lord Maxwell.

No. 94 narrates an alleged attempt to stir up the old feud, the complainers being Lady Johnstone (now Countess of Wigtown) and others, but steps seem never to have been taken to prosecute the charge. The most interesting of the later papers are [Nos. 96 and 98] the wills of Sara Lady Johnstone and Lady Margaret Hamilton, Countess of Hartfell, containing bequests of jewellery. The patents of dignities conferred on the family are noted in Nos. 97 and 101.

Division II.—Correspondence.

The second part of this Report [Nos. 102–214] consists entirely of correspondence. It is divided into two sections:—I. Royal Letters; II. State and Official letters. The last section, containing, as it does, the voluminous correspondence of William Earl and Marquis of Annandale, is so large that only part of it is given here, and it will be continued in another Report.

Of the correspondence now reported, several, especially of the royal letters, have been already noted [as Nos. 102 to 113 inclusive]. Letters [No. 114] written by King James the Sixth about the affairs of the young Laird of Johnstone are characteristic. There is also an unimportant letter from King Charles the First [No. 115], while the next document takes us at once to the time of King William the Third, dealing with the share of William, Earl and afterwards Marquis of Annandale, in Sir James Montgomery's Jacobite schemes; and the later royal letters [Nos. 117 to 112] indicate the royal favour to which the Marquis afterwards attained.

Of the state and official letters, No. 121, by the ex-Regent Morton, has been already referred to. Nos. 122 and 123 relate to the discipline of the Borders before 1600. Of other letters, those of the first Earl of Ancram [Nos. 125 and 127] are of interest, as also one or two relating to the "Engagement" of 1648, and the period of the Commonwealth [Nos. 130, 131]. Nos. 133 shows the kind of reports which were

spread about the time of the alleged popish plot towards the close of the reign of King Charles the Second, while No. 134 deals with the subject of Conventicles in June 1688.

In the end of that year the Revolution took place, and in May 1689 the Earl of Annandale, who had held a Captaincy in Viscount Dundee's Regiment [*Cf.* No. 100], had a troop of horse placed at his disposal by Major-General Mackay, to be used for securing the peace of the Borders [No. 135]. The next document is only a copy, but it is not widely known, and is a very remarkable and characteristic letter, written from "Birss" [in Aberdeenshire] on 17th August 1689 to General Mackay, and signed by 17 Highland chiefs and others, including Camerons of Lochiel, Macleans, Macdonalds, Farquharsons, &c. In spirited language they scorn the overtures of the new Government, and express their resolve to die sword in hand for King James [No. 136]. It is not clear how the Earl of Annandale became possessed of the next three letters [Nos. 137–139], but probably it was from his intimacy with Sir Thomas Livingston, Commander in Chief in Scotland, to whom they were addressed. They are from Sir John Dalrymple, and are interesting as indicating his views in 1691 about the suppression of the Highlanders.

The remaining letters reported on belong to the correspondence proper of the Earl and Marquis of Annandale. The first [No. 140], from Sir William Hamilton of Whitelaw, contains the news of the day, the Earl being apparently at Bath. Passing over Nos. 141 to 144, containing news from Ireland and Flanders, and No. 145, giving an account of an affair between Colonel Hill, Commander at Fort William, and Stewart of Appin, we come to a series of letters between Secretary Johnstone, his brother Alexander, and the Earl of Annandale, which, beginning in August 1691, continues with a few intervals until Secretary Johnstone's vacation of office in February 1696. Alexander Johnstone, in No. 146, gives news from Flanders, and, in No. 147, narrates the discomfiture of Lords Breadalbane and Tarbat, who had gone to Court without leave from the King. It is apparently to Secretary Johnstone's favour with the King that No. 148 refers, while Alexander Johnstone's exclamation in No. 149, "The prize is won; the tyde is turned," meant the same thing, heralding also a time of favour for the Earl himself, who was made a Privy Councillor and Lord of Session, and who is urged to make himself useful and necessary to the Government, an opportunity being given him [No. 150] to distinguish himself by the apprehension of two Jacobite agents. It is apparently Alexander Johnstone who contributes the account in No. 151 of the quarrel between Archbishop Tillotson and Sir John Dalrymple. The first three letters from Secretary Johnstone [Nos. 152–154] are not specially important, though in the last he intimates that the Earl's pardon (for his political offence of 1690) was just passed. Notwithstanding this, and the offices bestowed on him, the Earl's own letters to the Secretary at this time, 1693–1694 [Nos. 156–158 and 161–166], breathe a spirit of discontent, which he places to the account of his political opponents, but which appears also to be dissatisfaction with his own promotion. This is evinced by his letter announcing the Duke of Hamilton's death, where in the same sentence he asks for his vacant office. In these letters, also, he comments somewhat freely on public affairs, giving some odd glimpses into Privy Council proceedings, and indicates his intention of retiring from the Council, while he claims to be zealous in opposing the Jacobites, his own former friends. His old associate, Sir James Montgomery, was seized at this time, and Alexander Johnstone incites the Earl to show his loyalty by searching

for and apprehending another Jacobite, Captain James Murray, who is supposed to be lurking on the Scottish Border [Nos. 159–160].

In December 1694 he was elected, though without full sanction, President of the Scottish Privy Council, and received [No. 168] a letter of advice from Secretary Johnstone as to his procedure, followed later [No. 171] by a frank statement of his position as regards the King. The first of these letters hinted that he should write to Earl Portland, and therein "not to mince the matter of the false step" made in 1690, "but to own it," at the same time explaining he had given up his old associates. The Earl did write in the terms suggested [No. 172] in December 1694, but it was not until March 1695 that he received a reply [No. 193], the delay being partly caused by the illness and death of Queen Mary, and the consequent derangement of business. The letters on the subject of the Queen's illness, and the King's grief for her death [Nos. 174–178, *Cf. also* Nos. 184, 185], are affecting in their references to him.

Secretary Johnstone's advices to the Earl, who appears at this juncture to have been somewhat impatient under the uncertainties of his new position [Nos. 181, 182, *Cf. also* No. 184], are somewhat incisive, as indeed a good many of his letters are, while No. 183 contains a long and curious defence of himself and his brother against statements by Robert Ferguson, "the Plotter," about whom some interesting details are given. [Some account of this libel is given in Ralph's History of England, Vol. II., pp. 424, &c.] Lord Chancellor Tweeddale's letter, No. 185, relating the King's reception of a letter of condolence from the Scottish Council, &c., is of interest. About this time there are indications of the downfall of Secretary Stair [Sir John Dalrymple] between whom and his fellow Secretary, Johnstone, there was no love lost, and he seems to have been practically dismissed in March 1695 [No. 196], though he held office some time longer. In a letter from Secretary Johnstone to Annandale, dated 13th April 1695 [No. 200], he writes that the King "has spoke before severalls of my collegue [Dalrymple] in such a manner that its evident he thinks to make him quit." The Report of the Commissioners on the Massacre of Glencoe, dated 20th June 1695, however, completed the overthrow of Stair. No. 206, Lieut.-Colonel James Hamilton's letter declining to appear before the Commission will be read with interest, the rather as his absence told against him, and in the Address to the King, of 10th July 1695, signed by Annandale as President, it was declared that he was "not clear of the murder of the Glenco-men, and that there was ground to prosecute him for it" [Acts of Parliament at date]. Reference may also be made here to No. 207, by Chancellor Tweeddale, giving a graphic account of the discussion in Council about the liberation of Breadalbane, who had been warded for his share in the matter of Glencoe. Breadalbane made great exertions to obtain his liberation. He canvassed the Privy Councillors to obtain a vote for his freedom from imprisonment. This brought a large attendance of Councillors—twenty-four and the Chancellor. My Lord Argyll came from the Bishopric, the Marquis of Douglas from Douglas, "My Lord Stairs, the President of the Session, came in a litter from his own house, being neither able to come on horseback or coach."

Some casual references to proceedings against Roman Catholics will be found in Nos. 191, 192, and an amusing episode in the impeachment of Sir John Trevor, Speaker of the House of Commons, for bribery, is narrated in No. 195.

The letters of Secretary Johnstone in April 1695 [Nos. 197, 200–203], show clearly that his position as Secretary was becoming precarious.

After this period there is a considerable gap in the correspondence between him and the Earl of Annandale, the next communication being an unofficial intimation of Johnstone's marriage in August 1696, after he had ceased to be Secretary.

James Johnstone was the Secretary of State who attended the Scotch parliament in which the Act was passed authorising the formation of the adventure commonly known as the Darien Scheme. The real founder was William Paterson, who had previously obtained credit as one of the principal founders of the Bank of England. Two letters, Nos. 211 and 214, by Paterson are here reported. The prospects of the Darien Scheme had so dazzled Scotchmen that there was a general desire in the community to become subscribers to it. The name of Secretary Johnstone does not appear among the promoters by subscription; and a kinsman of his, Jasper Johnstone, of Warriston, appears as a subscriber to a very modest amount; while the Master of Stair, who was the joint Secretary of State with James Johnstone, appears in the List of Subscribers for a considerable sum. Measured by money, Dalrymple appears as the more effective aider of the Darien Scheme. The failure of the scheme and the Massacre of Glencoe both gave great personal annoyance to King William; and in reference to both subjects his Majesty complained that he had been ill served in Scotland. The two Secretaries came to be superseded about the same time. The Darien Scheme was a commercial disaster, for which neither of the Secretaries appear to have been responsible so much as Paterson, the sanguine projector. But the Massacre of Glencoe was treated by the Scotch parliament under a special Commission from the King as unjustifiable. Both Bishop Burnet and Lord Macaulay treat fully in their Histories of these two subjects, and, although with general admiration of King William's government, express regret that no example was made connected with Glencoe.

DIVISION I.—Charters and other Writs with miscellaneous papers relating to the Borders. 1408–1701.

1. Charter by Archibald, Earl of Douglas and Lord of Galloway, granting to William of Jonystoun, for his faithful service done and to be done to the granter, all and singular the lands of Drumgrey, with pertinents lying in the barony of Amisfelde within the sheriffdom of Dumfreis: To be held to William Johnstone and his heirs of the Earl and his heirs in fee and heritage for ever; rendering one suit of court at a capital plea to be held at Douglas next after the feast of St. Michael Archangel, for all other secular service which can be exacted from the lands. With clause of warrandice. Dated at Edinburgh, 24 May 1408. Witnesses, James of Douglas the Earl's brother, Sir William Douglas of Nithisdale the Earl's nephew, James Douglas, lord of Dalketh, William Hay of Lochqhorwart, William of Borthwick and William of Crawfurd, knights; Mr. Alexander Cairns, provost of Lyncloudane, Mr. Mathew Geddes, rector of the church of the Forest [Carluke], Thomas Turnbull and Alexander Hume. Seal attached, in good preservation: Arms, on a shield, quarterly, 1st and 4th on a chief 3 stars, with a heart in base, for Douglas; 2 and 3 a lion rampant, crowned, for Galloway. Supporters, two hairy savages. Legend, Sigillum Archebaldi Comitis de Douglas et Dñi Galwedie.

2. Charter under the great seal, by King James the Second, granting and confirming to Alexander Corbet, son and heir apparent of John Corbet of Hardgray, all and sundry the lands of Hardgray and

of Lymekills, lying in the tenement of Annan and of Dalton, within the lordship of Annandale; which lands belonged to John Corbet and were resigned by him at Stirling: To be held, the said lands to Alexander Corbet and his heirs of the King and his successors in fee and heritage for ever: rendering the services due and wont. Witnesses, William, Bishop of Glasgow, John, Bishop of Dunkeld, William Lord Crichton, chancellor, James Livingstone, chamberlain, Master James Lindsay, provost of the Collegiate church of Lincluden, Robert Livingstone, comptroller, and Master John Arous, archdeacon of Glasgow. Linlithgow, 21 July 1449. [This Charter, to which a fragment of the great seal still remains attached, is not recorded in the existing "Registrum Magni Sigilli."]

From a separate notarial instrument we learn that the lands were resigned at Stirling on 10 May 1449 by Michael Balfour, esquire, as procurator for John Corbet, while Herbert Murray was attorney for Alexander Corbet. Witnesses, William, Bishop of Glasgow, Alexander, lord of the Calendar, knight, James [Livingstone] his son and heir, John Balfour, Robert Hunter and Robert Heriot squires. John of Railstoun, rector of Ruthwell, notary.

3. CHARTER by King James the Second, granting and confirming to John Maxwell, son and heir apparent of Robert Lord Maxwell, the office of the Stewartry of Annandale, which office belonged heritably to Lord Maxwell, and was resigned by him at Edinburgh, by staff and baton, with all claim thereto: To be held to John Maxwell and his heirs, of the king and his successors in fee and heritage for ever, as freely as Robert Lord Maxwell or his predecessors held the same. Given under the great seal, at Edinburgh, 7th February 1454 [1455]. Witnesses, James [Kennedy], bishop of St. Andrews, the king's cousin, George, bishop of Brechin, and Thomas, bishop of Galloway, William Earl of Orkney, chancellor, William Lord Somerville, Patrick Lord Glamis, master of household, John Lord Lindsay of Byres, Patrick Lord Hailes, Mr. Nicholas Otterburn, Clerk of Register, and William Bonar, comptroller. [This charter also is not preserved in the existing Register of the Great Seal.]

4. NOTARIAL INSTRUMENT narrating that in presence of William Brown, notary, and witnesses, Thomas Clerk, of his own free will, resigned in the hands of Thomas Clerk, bailie of Lochmaben for the time, a yard with pertinents, lying in the burgh of Lochmaben, between our Lady's land on the north, the land of the chief lord of Annandale on the south and the common highway on two sides, for the use of a prudent man Thomas Corbat; to whom the bailie then gave sasine in due form of the said yard, with pertinents underwritten, namely, "cum una ruda terre jacente inter terram domini de Muswalde ex parte boriali, ex parte una, et terram capitalem Sancte Crucis ex parte australi, ex parte altera; cum una acra terre Wyndant super unum locum nuncupatum le Ilis; cum omnibus et singulis terris cum pertinenciis, jacentibus inter Goldmurloch, ex parte orientali ex parte una, et Sondsechloch ex parte boriali ex parte altera, et duplicem foveam ex parte australi, ex parte tercia; cum una manerio vocato Wedy-castell, et cum insulis jacentibus inter predictos lacus, et cum quinque acris terrarum jacentibus prope le Ruchdyk et finientibus ad le Wedy-castell, et cum Kerdis Akyr et Glufar Akyr," to be held in fee and heritage for ever. Done in the burgh of Lochmaben, 17th March 1455–6; Sir Thomas Coqui, vicar of Lochmaben, Nicolas Carruthers, and Malcolm Clerk, laics, witnesses.

5. RETOUR OF AN INQUEST made by Thomas of Preston, sheriff depute of Edinburgh, and the following jury, John Johnstoun of that Ilk, William Fresale [Fraser] of Frude, Nigel Ewart of Bodsbeck, William Johnstoun of Park, George Hoppringle of Wrangham, James Tuedy of Drummelzar, Walter Tuedy, his eldest son, John Carruthers of Holmends, Thomas Dalzel of Buchax, Edward Crichtoun, George of Dunwethy, Robert Corry of Newby, William Johnstoun, Robert Fresale, and John Moffate, who, being sworn, declare that George of Moffate is the lawfull and nearest heir of the deceased Thomas of Moffate, his grandfather, in an annual rent of twelve merks sterling, upliftable from the kings new customs of the burgh of Edinburgh; that he is of lawful age; that the said annual rent is now worth twelve merks yearly, and as much in time of peace; and that it was in the hands of the king through nonentry of the heir, since the death of the said Thomas Moffat, forty-seven years ago or thereby. Done in the Tolbooth of Edinburgh, 18 May 1457.

6. NOTARIAL INSTRUMENT in the form of letters by William Elphinstone, master of arts, bachelor in decreets, rector of Kirkmichael, and Official General of Glasgow, narrating that, by the ordinary authority committed to him, he had, at the request of an honourable man, Walter Turnbull of Gargunnock, received the depositions of the undernamed witnesses as to a certain dispensation for matrimony granted to the said Walter and to Margaret Norvele, one of the ladies of Gargunnock, they being related within the forbidden degrees. The Official having first directed a public edict to be affixed upon the doors of the Cathedral of Glasgow, citing every one conjointly and severally, who had any interest, to compear before him, a day and place being assigned to them, to oppose and speak, if they wished, against the witnesses, by word or writing, also to allege and prove whether the witnesses ought to be received or not, with intimation that whether those cited appear or not, the Official will proceed to receive the witnesses, the absence or contumacy of those cited notwithstanding: Whence, on the arrival of the day fixed, and the said Walter accusing those cited of noncompearance, the Official at his instance reputes them to be contumacious, and decerns that the witnesses should be received and admitted to give faithful testimony, being sworn before him on the gospels, whom also he has received and after diligent examination has commanded their depositions to be taken down and published, as follows:—Sir David Burntoun, presbyter of Glasgow diocese and keeper of the sacristy of the Cathedral there, the first witness, being sworn, and interrogated if he remembered that James, King of Scots, last deceased at Roxburgh [James the Second] granted to William [Turnbull] some time bishop of Glasgow, the marriage of one of the ladies of Gargunnock for his kinsman, and this at his [the bishop's] instance because of his service, prayers, and gifts, asserted on the word of a priest, that it was true, because he had seen the royal letters under the King's privy seal granting the marriage, but he did not at present remember their tenor. Interrogated if he knew that Walter Turnbull, nephew of the late bishop of Glasgow, married one of the ladies of Gargunnock, named Margaret, and had issue by her, whom he still retained as his true and lawful wife, he said this was true, because he was present in the city of Glasgow when the marriage of the said Walter and Margaret was publicly celebrated by Sir Philip of Reston, then vicar's curate of the church of Glasgow. Further, interrogated if dispensation were granted to the said Walter and Margaret before their contract of marriage, he replied it was so.

Interrogated, how he knew, he declared on oath that he was present at the ceremony, as above stated, and, before they proceeded to its solemnization, letters written on parchment under the seal of James, late bishop of St. Andrews, were read aloud by the late Sir John Man, notary public, by which letters the bishop dispensed with the prohibited degrees to the said Walter and Margaret, and granted power to them to marry. Interrogated as to the time of the marriage, he said that seventeen years or thereabouts had passed, as he believed, and the common fame of the country corroborated the statement. He declared that he said these things neither for favour or reward, hate or love, but for truth. The second witness, Master Simon Dalgles, precentor of Glasgow Cathedral, corroborated the previous testimony substantially, and so did the third witness Sir James Fawside, rector of Hutton, in the diocese of Glasgow, who did not recall the tenor of the letters of dispensation, but remembered well that a dispensation was granted. A fourth witness, John Fynny, married, forty years of age, and not related to either party, sworn and interrogated, agreed in all points with the first witness, adding that the bishop of St. Andrews wished to have twenty nobles for the dispensation, but the bishop of Glasgow refused to give more than ten merks, so that the dispensation was obtained for that sum, a statement confirmed by Mr. Simon Dalgles. The Official then ordered instruments narrating the whole proceedings to be written and published, and appended his seal. Dated and done in the consistorial place of Glasgow Cathedral, the 6th April 1471, in the seventh year of the pontificate of Pope Paul the Second; witnesses, Messrs. Walter Stewart, David Gray, James Knox, masters of arts, and Sir John Preston, presbyter of Glasgow diocese, who acts as notary and writes the notarial docquet. [Seal attached, oval, shewing the head and bust of a mitred bishop. Legend. "S. OFFICIALATUS GLASGUENSIS."]

7. CHARTER by Robert Mautlaunde of Quenysbeyrie, granting to Peter Grersone of Capinache, for his service and many kindnesses, the lands of Achincaschill and Achinvanzheis, in the barony of Tybberis and sheriffdom of Dumfries. To be held to the said Peter in liferent and his assignee for life, of the granter in fee and heritage, for rendering the services due and wont: with clause of warrandice. Dated at the granter's manor of Achincashill, 1st September 1483; witnesses, Amer Broune, Archibald Younger, John Pringill, Sir Robert Patricksone, chaplain, and others named.

8. INSTRUMENT by John McHome, notary, narrating that John Grersone, sergeant and depute of Robert Crechtoune of Sangquhare, sheriff of Dumfries, showing his mandate under the armorial seal of the sheriff, produced to the notary a precept of sasine, given under the quarter seal at Edinburgh, 23 January [1485], for infefting John Maxwell as nearest and lawful heir of his father, the late John Maxwell, in the lands of the barony of Carlaverock, and the lands of Springkayl, in the lordship of Annandale, and in the office of Stewart of Annandale, all held of the King in chief. The precept further directed the Sheriff to take security for £40 Scots, rent of the barony of Carlaverock, for one term while in the King's hands, and two red roses, duplication of the blench farm of the same; also for 11½ merks, one term's duty of Springkayll, with two pairs of white gloves, as the blench farm. In terms of which precept the said John Lord Maxwell, having personally proceeded to the market cross of the burgh of Lochmaben, there on 12th January 1485 [1486] by the presenting to him of a rod, received

sasine of the office of Stewart of Annandale, before John Johnstone of that Ilk, Robert Charteris of Amysfeld, John Carruthers of Holmends, Herbert Gladstanes of that Ilk, and John Grame of Gillenbye.

9. LETTER OF REVERSION by Adam Johnstone, son of the late William Johnstone of Syronthwat, in favour of Robert Grahame of Thornhuke [Thornick] who had sold him his two merk lands of New park, and the half of his lands of Baithuke [Beattock] extending to other two merks of annual rent, in the lordship of Kirkpatrick juxta Moffett; obliging himself, his heirs and assignees, that as soon as Robert Graham or his heirs pay the sum of 89 merks Scots on the high altar of the parish church of Moffat, and grant a lease of seven years from the date of redemption, the said Adam and his heirs shall renounce the lands to the said Robert Moffat Dated, 18th August 1489. Witnesses, Sir James Fawsyde, rector of Hutton, Mr. Walter Fawside and Sir John Ewart, chaplains, William Johnstone of Greithead, Mr. John Makhome, rector of Castlemilk, notary public, and others.

10. INSTRUMENT OF SASINE, written in the vernacular, by John Durand, sheriff depute and king's sergeant of the sheriffdom of Dumfries, who "beris leyll witnes in Crist that I, the twa and twenty day of the moneth of November in the yere of Gode ane thowsand foure hundretht foure score and iij yeris, bodely passit to the cheif chymmys of the landis of Hardgraif, and of the half of the Twathwatis," in the Stewartry of Annandale, and that in terms of the kings precept to Robert Creichtoun, sheriff of Dumfries, "closit under his quhite vaux thairupone." The precept by King James the Third, dated at Edinburgh 15 November [1483], directs the sheriff to infeft Janet Adamson as nearest and lawful heir of her mother, Elizabeth Corbet, in the lands named, held in chief of the king as lord of Annandale. Whereupon, John Durand "gaif and deliverit be the gift of erd, tre, and stane, as maner is, heritable stait, possessioun and seising . . . till ane worthy woman, Jonet Adamsone, spouse till ane honorable man, Wat. Corbet of Hardgraf . . . befor thir witnes, Schyr Jhone Tynd, persone of Daltoune, Schyr Laurence Tynding, capilane, Patrick of Murray of the Morithwait, Will. Huchensone, Thome Cuthbertson, Dic of Snawdoun, Herbert Dun, and George Broun." This the sergeant makes known to all and sundry, and having no proper seal of his own he procures that of "ane worschepfull man" Thomas Stewart, burgess of Dumfries, to be appended. Done at Dumfries, 21 January 1498 [1499]. Witnesses, John of Maxwell, Sir John Makbrare, John of Creichtoun, and David McGee.

11. NOTARIAL INSTRUMENT narrating that John Sinclair of Dryden, knight, procurator for John Lord Maxwell, steward of Annandale, passed to the presence of King James the Fourth, and with due reverence resigned into his Majesty's hands all right and claim which John Lord Maxwell had or could have to the office of Stewardry of Annandale, and which he renounced in favour of Robert Maxwell, knight, his son and heir apparent; upon whom the King then conferred the office by delivery of staff and baton to him personally accepting. Done in the royal chamber situated in the palace of Holyrood near Edinburgh, on 10 June 1513; witnesses, Henry Lord Sinclair, the kings master of artillery, Mr. Patrick Panter, the kings secretary; William Cockburn of Langton, knight, Alexander Ramsay of Dalhoussy, and Thomas Halkerston, provost of Crichton. [A Charter granting the office to Sir Robert Maxwell followed in due form, of date 10 June 1513.]

12. CHARTER by Archibald [sixth] Earl of Angus, &c., lord of the barony of Crawford-Douglas, narrating that the lands of Crawford-Douglas, formerly called Crawford-Lindsay, in the sheriffdom of Lanark, were recognosced by King James the Fourth from his grandfather, Archibald [fifth] Earl of Angus, for having alienated a great part of the lands without the King's consent; and the lands having been under recognition for a year and day, were then adjudged by the Lords of Council to belong to the king, but they were restored to the earl's grandfather on his paying the composition therefor. And now the heirs of the late Alexander Somerwell, formerly tenant of the lands of Harthope, one of the tenandries of the said barony, refuse to pay their share of the composition proportional to Harthope, and will do diligence to redeem those lands, now in the earl's hands and at his disposal, he therefore sells and dispones the lands of Harthope to David Johnstone, indweller in Loichwood, his faithful servitor: To be held in blenchfarm of the granter, &c. Dated at Crawford, 19th July 1519. Seal appended.

13. LETTERS OF TACK OR LEASE by John Lindsay of Colbyntoune [Covington], granting to James Johnstone of that Ilk, his heirs, assignees, and subtenants, the lands of Polmoody "tennand and tennandry," extending yearly to 18 merks worth of land of old extent, lying in the stewartry of Annandale and sheriffdom of Dumfries, in lease for 19 years from Whitsunday 1520, for a yearly rent of 18 merks Scots. Dated at Edinburgh, 9th March 1519 [1520]. Witnesses, William Johnstone, brother to the said James Johnstone of that Ilk, and others.

[There are eleven other writs relating to the said lands, which, on 21 November 1521, were fully granted in property to Johnstone. The granter's seal attached to the writ shows a shield bearing a fess-chequy, with a mollet in dexter chief and a mascle in base. Legend "S. IOHANNIS LINDSAI." John Murray of Cockpool, son and heir of the late Cuthbert Murray of Cockpool, and also Cuthbert Murray, a deceased son of the late Cuthbert, had also rights over one half of Polmoody held under Lindsay.]

14. PROCURATORY by William Johnstone of Eschelis and Esby, authorising James Johnstone of that Ilk, Sir Alexander Jarding of Apelgarth, and John Charteris of Amisfield, or any one of them to resign into the king's hands the £10 lands of Esby, in the stewartry of Annandale, for new infeftment to be given to himself and Katherine Douglas, his spouse, and the heirs of their bodies. Dated at Dumfries, September 1521.

15. BOND by John Johnstone of that Ilk, in which, by "the faith and treuth" in his body, he binds himself and his heirs "to ane worschipfull man Robert Grahame of Thornhuke and his ayris," who have become bound to the granter "in speciale manred and service . . . perpetualy for evir in tyme to cum, . . . herfore I, the said John Johnstoun of that Ilk, bindis and oblissis me faithfully . . . and myn ayris, to be gud masteris to the saidis Robert Grahame of Thornhuke and to his ayris perpetualy for evir in tyme to cum: and I . . . and my ayris sal with our kin, frendis, men and servandis, help, supple, manteine and defend the saidis Robert Grahame of Thornhuke and his ayris, our men, and thar kin, frendis dependand on them and thar men and servandis, in all and sindry thar actionis, causis, and querelis, honest and leful, movit and to be movit aganis quhatsumevir persouns at all our gudly power perpetualy for evir in time to cum, as gud mastir aw to doo to his man, and as I, the said Johne, and my

ayris will doo to our mast speciale men in siclik thingis, quhen I or thai salbe requirit tharto but fraud or gyle. And gif the said Robert or his ayris askis me or my ayris ony counsale, I and my ayris sal gif him and his ayris the best and treuast we can, and sal concele and kepe secrete thar counsale schavin to ws": the granter binding himself to keep this bond of maintenance, in the "mast sekir forme and stratast stile of obligatioun that can be maid or diuisit, all cauillatioun, fraud and gyle secludit and avay putt." Dated at Dumfries, 16 December 1526. The granter also binds himself, his heirs and successors to pay to Robert Grahame twenty merks Scots yearly.

16. CERTIFICATE that John Johnstone of that Ilk had compounded for a remission from the king, for his traitorous absence from the army of the king, of Solway and other royal expeditions, contrary to the proclamations, and for all other crimes and transgressions committed by him before this date, excepting treason against the royal person. Signed by the lords compositors, at Dumfries, 10 November 1529. Signed "H. Candide Case: D. de Ab'Brothok: Jhon Lord Erskin: Ja. Coluil: R. Thes^{r}."

17. CONTRACT between Robert Grahame and Ninian Grahame, his son and apparent heir, on the one part, and John Johnstone of that Ilk and Margaret, "his dochter and Gelis Ewartis" upon the other part, to the effect that Ninian Grahame shall espouse the said Margaret in the face of "holy kirk" as soon as they come to lawful age, for which Johnstone, his heirs or executors shall pay to Robert Grahame, his heirs or executors, the sum of three hundred merks on the completion of the marriage contract, and forty merks at the terms of Whitsunday and Martinmas until fully paid. In return the said Robert shall infeft the said Margaret in conjunct fee in nine merks of land of old extent of his lands called "the Murquhattis," and failing that, in other nine merks of land, wherever it may please the said John Johnstone and Margaret. And should it happen Ninian or Margaret to die before the completion of the marriage, this contract shall continue and hold good as regards another son and heir of Robert Grahame and a daughter of John Johnstone, until the marriage be completed. The parties bind themselves to keep this agreement in all points, and Johnstone further binds himself in the terms of a bond of maintenance to Robert and Ninian Grahame against all men, the king excepted, particularly in their occupation of the lands of Thornick. Dated at Lochwood, 22 February 1530 [1531], before Thomas Moffat of the Knock, James Grahame of Gillisby, Sir John Lauson, vicar of Johnstone, and Sir David Akynheid, notary public. Two seals affixed, the first, that of Graham, the shield bearing, on a chief, three scallop shells; the second showing the cushions and saltire of Johnstone.

18. LETTERS OF TACK by Robyn Johnstone and John Smyth, bailies of the burgh of Lochmaben, with consent of the community of the burgh, granting in lease to Adam Johnstone of Pocornat and his assignees, the lands of "the Thornie quhat" lying in "the franchis" and territory of the burgh of Lochmaben, in the stewartry of Annandale, for the space of five years from Whitsunday next, the said Adam paying yearly to the said bailies and community four merks Scots, with a power to sublet; also a clause of warrandice by the granters who, in absence of the common seal of the burgh, which could not be got at the time, subscribe the lease with their hands at the pen, at Lochmaben, 26th —— 1534. [The writ is much decayed. The names

written as signatures appear to be "Robyn of Jhonston: Jok. Smyth: Nichol . . . Robyn of Beglandis: Robyn of Car[ru]theris: Ville. Smyth."]

19. CHARTER by William Johnstoun of Gretno, and lord of the lands of the lordship of Newby, alienating to Christopher Irving of Bonschaw, his heirs and assignees, the lands of Stabiltoun belonging to the barony of Newby, extending from Brodclewch to Kendelwell, in Annandale and the sheriffdom of Dumfries, with the fishing of Rasnett belonging to Stabiltoun; reserving to Esota Murray, relict of Herbert Corry of Newby, her life rent and terce rights from the said land; to be held blench for a silver penny at Whitsunday, if asked. Dated at Dumfries, 20 November 1536. Seal appended, shield bearing a saltire, on a chief three cushions, with a mollet in base. Legend "S. WILLELMI IONSTON."

20. A CONTEMPORARY COPY of "The Ordinance and Constitutionis maid in the justice air of Drumfreiss and stewartrye of Annanderdaill, haldin and begun at Drumfreiss, the xij daye of Aprill, the yeir of God 1^{m} v^{c} fourty yeiris, for the stancheing of thift, reif, murthure, slauchter and uthairis crymes in tyme cuming, and for gude rewle to be keppit amang all our souerane lordis liegis, and speciale the inhabitantis of Annandirdaill, Eskdaill, Ewisdaill and Wauchopdaill, maid and divisit by me lord justice, and uthairis being with him, be speciale commissioun and charge of oure said souerane lord for halding of the said air, and with consent and assent of Robert Lord Maxwell, Williame Lord Hereis, and uthirris lordis, barronis and uthirris gentlemen havand landis, rowmes and baillieries within the saidis cuntreis of Annanderdaill, Eskdaill, Ewisdaill and Wauchopdaill, and quha hes subscriuit thir presentis with thair handis." The document is of some length, but may be summarised thus:—First, it is ordained by the Lord Justice, and others present, with the consent of Robert Lord Maxwell as Warden of the West Marches, that, seeing the King has granted a full pardon and remission to the inhabitants of the districts named, for all crimes and offences before the beginning of "this instant air," so that they may know his clemency and "maye be his gratious trew liegis in all tymes cuming, and leif at his Hienes lawis and obeysance as uthairris trew liegis dois"; also all the inhabitants having compounded for their remissions, and having "at the interrogation of my lord justice," explained by the justice clerk, promised "be the extention and uphalding of thair rycht handis," to live as true lieges and obey the laws, and never to commit any crime, while if they do commit such, they shall be punished accordingly; therefore, the lords, barons, and landed men have bound themselves for the peace of the realm, that if any man dwelling on their lands commit any crime, they shall immediately punish him according to law, so far as their jurisdictions extend; and if the offence be beyond their own courts, they shall send the trespassers to the Stewart and Warden to be dealt with by him or by the King's Justice; and if the lords and landed men have not sufficient power to apprehend trespassers, they shall demand aid from the warden or his deputies; and the warden and the others shall pursue all fugitive persons to the "utirmest, and escheit all thair movable guidis, the twa parte to the kingis grace; willing the lordis of the grund" to dispose of their tacks and steadings, and remove the trespassers, their wives and bairns therefrom, "and sall not thole thame to returne nor entir thairto agane nor yit to jois nor bruke the samin ony maner of way." Further, if the Steward, warden, or any subscriber be found negligent and not

doing their utmost diligence to observe this constitution, they shall be punished at the king's will.

Secondly. If the party offended or hurt by any trespasser, considers the landlord on whose land the culprit resides "to be sa suspect that thai feir and dreidis that thai sall nocht, nor may nocht minister thame justice," then application may be made to the Warden, who shall require the "lord and lard of the grund" to give up the trespassers to him; and if the landlord refuses, the Warden shall himself apprehend the culprits and "justify thame," or send them to the King's justice, unless the warden have a special commission of justiciary; while if the warden or any landed man be remiss in doing justice, they shall be held to refund to the complaining party the amount of damage done, and shall also answer to the King for their neglect.

Thirdly, if any lord, baron, or landed man labour for or defend in any way "ane theif or resettair of thift . . . he salbe haldin and repute as infame and schamyt, and culpable of that thevis deid, if it salhappin him to be convict."

Fourthly, Robert Lord Maxwell as Stewart and Warden has faithfully promised in presence of the Lord Justice and others sitting in judgment, that if any person within his jurisdiction, commit the crimes before specified ("tressoun, thift, resset of thift, murther, slauchter, reif, fyir raising," &c.) he "sall with all rigour justify the personis committaris thairof to the utirmest poynt," as the law requires, in terms of his authority from the King, and "without favour or delay" as he shall answer to the King.

Lastly, it is statute and ordained, with consent of Lord Maxwell, that thenceforth for one year, he shall, at the beginning of each month, hold his Stewart court of Annandale, and at every court shall inquire from "the maist famous and honest men out throu the Stewartrie" for any thieves or resetters of thieves from this date, and he shall punish all such suspected or found guilty. He shall also hold Courts for Eskdale, Ewesdale, and Wauchopedale with his warden courts, "swa that the inhabitantis of the saidis countreis may be brocht in use to ken and knaw the ordoure of justice, and to leif thairefter." He shall further in all other years to come hold his courts as often as he deems expedient. [In the principal, from which this copy is taken, the subscriptions of the lords and others present appear to have followed.]

21. OBLIGATION by Robert Mowbray of Barnbougal, Robert Orrok of that Ilk, and John Halkat of Pitfirrane, to John Johnstone of that Ilk, as follows:—"Forsamekill as ane honorabill man, and our cousing, Henry Stewart of Rossytht, was taken at ane raid callit the raid of the Solane Mos, and withhaldin be his takar' or takaris in the partis of Yngland and as yit remains unredemit; and because the said Johne Johnestoun of that ilk has promittit to do his exact diligence for redemyng of the said Henry," the granters bind themselves, their heirs, &c. that, as soon as Henry Stewart is redeemed or freed by Johnstone from his takers or custodiers "and frelie deliverit within the realme of Scotland to his awin fredome and liberalitie," they shall refund whatever sum has been paid for his redemption and ransom; providing always that Henry's own consent under his own subscription, be obtained "to the making of his said ransom . . . swa that we may perfitelie undirstand that his ransone is or salbe maid be his awin expres consent and assent. Dated at Edinburgh, 4th January, 1542 [1543], and signed by the parties.

22. AGREEMENT in the form of an indenture, between "honorable men," James Douglas of Drumlangrik on the one part, and John

Johnstone of that Ilk on the other part, as follows :—"Athir of the saidis partiis ar faithfullie bundin, oblist and sworne to uthiris in the sickarest forme that can be devisit, the haly evangelis tuichit, that ilk ane of thame sall in tymes cuming, induring thair lyfetymis keip ane leill, trew and afald parte to uthiris, and defend uthiris at thair utir power, and sall nowther see, heir nor wit utheris skaithis, bot sall aduertise utheris therofe, and stop and let the samin, sa fer as thai may at thair power, and tak uthiris plane partiis, ryde and gang with uthiris in all thair lefull materis, erandis and besines aganis all maner of persounis" [the Queen, the Earl of Arran as Governor, and Robert Lord Maxwell excepted]; and further the parties oblige themselves to each other "that nane of thame sall tak utheris steidingis nor rowmes, nor thair kynnismennis nor freyndis rowmes, possessiouns, or steidingis, but sall defend uthiris at thair uttir power, as said is." Both parties swear to observe this agreement, the present duplicate of which is subscribed by "Jhon Jhonston off y^{t} Ilk" at Edinburgh, 19th January 1542 [1543], Andrew Johnstone of Elphinstone and others, witnesses.

23. Letters under the quarter seal of Mary Queen of Scots, directed to William Oliver and John Ranyk, sheriffs in that part, requiring them to summon, in presence of witnesses, the following persons :—Robert Lord Maxwell, Steward of Annandale, John Carruthers of Holmends, William Kirkpatrick of Kirkmichael, Archibald Stewart of Castlemilk, Roger Makbrair, provost of Dumfries, Robert Grahame of Thornuke, William Johnstone of Elcheshields, William Maxwell of Blairboy, Thomas Moffat of Knock, Cuthbert Murray of Drumcreuch, Henry Maxwell, Adam Franche of Franchland, Thomas Carruthers of Over Wormanbie, Patrick Murray, John Ewart of Bodisbek, and Herbert Johnstone of Balock, as the jury who on 9th October 1535 had served Symon Carruthers as son and heir of the deceased Symon Carruthers of Mouswald; warning them to appear before the Privy Council at Edinburgh on 10th May next to answer to certain charges made by John Johnstone of that Ilk, who had the ward and relief of the said Symon and of the lands in which the deceased died infeft. These charges were, that the said Steward had not given the fifteen days notice required by Act of Parliament before proceeding with the service, and that the remaining persons on the inquest had committed manifest and wilful error. They had declared that the late Symon died last infeft in the 20 merk lands of the mains of Mouswald, with the mill, the 10 merk lands of Holthwait, Haithlandhill, 20 s lands of Rauffulgill, 10 merk lands of Dronnok, the 24 merk lands of Pennersax, 10 merk lands of Myddilby, 10 merk lands of Logan-tenement and Polcornare, with the two mills there, and the 5 merk lands of Westscalis, in which the younger Simon was his heir, asserting that the latter was of lawful age, while in truth, at the time of the service he was only eighteen or nineteen years of age. Secondly, they had stated the value of the lands as £64 now, and as much in time of peace, without distinguishing the difference of value in time of peace from that in time of war. Thirdly, they had valued the lands as worth now only £64, whereas they were now worth 300 merks, seeing there were no lands in the kingdom which were not now worth more than when valued in time of peace; and by thus not distinguishing between the values of the old and new extent, they had greatly prejudiced the duties of ward and relief pertaining to the Crown, and to those having right from it. They had also trespassed against the law by rash swearing and had become liable to punishment in their bodies and goods. They are summoned also to see the service

and all that had followed reduced, and the complainant, John Johnstone, reponed in his just rights, notwithstanding the triennial prescription provided for by law; because, at the date of, and for some time before, the said service, the said John Johnstone was in prison by command of the King, so that intimation of the intended service never reached him, nor could he have been present; while even if he had known thereof, he had been continuously from his youth trained to arms, was altogether ignorant of law and had no access to any advocate or prudent man learned in the law, but was overwhelmed with the grief of a lingering incarceration. Letters dated at Edinburgh 16th March [1543].

24. Bond by Nichol Grahame of Meskeswaye, binding himself "in manretht faythtfullie to ane honorable man, Jhone Jhonstoun of that Ilk, to be faythtfull, leil, and trew to him, and to mak him leil and trew service faythtfullie, and to tak his leil, trew, and afald part with my kyne, freyndis, part-takcaris, and thai that will do for me, in all and syndry his materis, actionis, querelis quhatsumevir, als oft as the said Jhone requiris me thairto; and sal gif him the best consell I can, and conseill the samin, and sall nocht hyd nor consell fra him his hurt, skaytht nor damnage, bot sall stop and resist to all sic thingis at my power; and sall tak his trew and afald part agane all that de and leif maye" (excepting the Queen, the Governor, and the granter's overlord) for the life time of both parties, under the pain of perjury, defamation, and discredit if he does not observe the bond. "Nicholl the Grame" signs by the hand of Sir John Scott, notary, at Hawick, 8th May, 1543, John Scot in Thirlstane, Robert Scot his son, and others witnesses. [Portion of seal still affixed, showing a fess between three scallops (?), two and one.]

25. Letters of Tack, by Mr. James Livingstone, parson of Moffat, granting to John Johnstone of that Ilk, his heirs and assignees, his whole parsonage and vicarage of his kirk of Moffat, lying in the diocese of Glasgow, to be held in lease for three years following Whitsunday next, "with all and sindry teynd schavis, teynd lambis, teynd woll, stirkis, geise, grise, hay, afferandis, emolumentis, fruitis, and richtuis pertinentis," freely and quietly, for a payment of one hundred pounds Scots, yearly, "at the terme of the Inventioun of the haly croce called Beltane, and the fest of all Sanctis callit Allhallomes." Dated at Edinburgh, 17 January 1543 [1544]. Witnesses, John Carmichael, younger, Captain of Crawford, John Mosman, William Grayme of Westhall, and James his brother.

26. Charter by Mary Queen of Scots, granting to John Johnstone of that Ilk, his heirs, &c. the following lands and tenements:—one oxgang of land in the Lochside, between the Queen's loch on one side, and the lands of the Laird of Cockpule on the other; one tenement at the market cross of the burgh of Lochmaben, with houses and yards; three carucates or roods of land at the Grenelauch, one tenement and place near the land of William Henrison, now occupied by Janet Carruthers, one tenement and three acres of land now occupied by Robert Johnstone, one tenement and six houses of the late Ninian Smyth, one tenement with houses and yards now occupied by Patrick Howart, one tenement with two acres of land in the Braidgait, one tenement of land lying at Barresyett, and one tenement of the lands of Christopher Carroll, with place and pertinents, all lying in the burgh of Lochmaben: which were in the hands of the Queen as *ultimus hæres* of their late owners, Symon Clerk, John Clerk, John Henrisoun, Michael Henrisoun, and Ninian Smyth, by the death of the said persons without lawful heirs known

within the kingdom, their bastardy or otherwise. To be held in free burgage, for the services due and wont. Given under the great seal, at Linlithgow, 15 August 1545.

27. LETTERS OF GIFT by Mary Queen of Scots, with consent of James Earl of Arran, Governor, granting to John Johnstone of that Ilk, his heirs &c. the ward and nonentries of the lands of Thornok, in the Stewartry of Annandale and Sheriffdom of Dumfries, which belonged to the late Robert Grahame, of Thornok, and also to his father, Robert Grahame, now in the Queen's hand since their decease, to hold until the lawful entry of the righteous heir to the lands, with the relief of the lands when it shall happen; granting also to Johnstone the marriage of any child born betwixt the late Ninian Grahame, son and apparent heir of the last Robert Grahame, and — Johnstone, his relict, and failing such children by death, unmarried, the marriages of the late Ninian's sisters, or of any other heir, male or female, that shall succeed to the lands. Given under the privy seal at Edinburgh, 16th May 1546.

28. CHARTER by Mary Queen of Scots, granting to John Johnstone of that Ilk, his heirs &c., the lands of Castlemilk, as well property as tenantry, with tower, &c. in the Stewartry of Annandale, formerly belonging to Matthew, some time Earl of Lennox, and now in the queen's hands because of forfeiture led against the earl for treason, of which he was convicted by Parliament: To be held of the Queen and her successors for services due and wont. Given under the great seal at Edinburgh, 25 April 1550. [A grant of these lands had been made some years before, and a precept issued, on 28 October 1545, for a charter, but the completion of the grant was delayed by Johnstone's capture by the English and his long imprisonment in England.]

29. EXTRACT of Judicial Admonition directed to John Johnstone of that Ilk on one part, and John Johnstone in Cottis and Elizabeth Charteris, his spouse, on the other part, requiring them to fulfill a decreet-arbitral, dated at Dumfries 21 July 1551, pronounced by John [Hamilton] Archbishop of St. Andrews and Robert [Reid] Bishop of Orkney, judges arbiters chosen by the said John Johnstone of that Ilk on one part, and John Johnstone, son to James Johnstone in the Cottis, Elizabeth Charteris his spouse, Robert Johnstone and remaining brothers of the said John (their father also consenting) on the other part, as to dispute between them about the lands of Park and other questions. Parties being heard and the matter considered, the arbiters ordained John Johnstone and Elizabeth Charteris, if she be infeft in the lands, and also any son or sons born to them, if such be infeft, to grant a sufficient reversion of the ten merk land of the Park, Moslands and Bruym lands, which they have in heritage within the barony and lordship of Thornick, to the said Laird of Johnstone, for redemption of the lands by a sum of 1,000 merks Scots; also, after the redemption, to give a lease for a yearly rent of 40 merks; while neither the Laird nor his heirs shall disquiet the said John and his spouse in their possession of said lands, or of Elizabeth's terce and conjunct fee lands, until the redemption of the said ten merk lands, which being redeemed, the Laird shall take Elizabeth's terce lands in lease for her life time, and shall pay to her and her husband all rents and profits for that space as they now pay; or he may permit them to possess the said lands of Park and others for life, without payment of any duty, and that in exchange for the terce lands. Moreover, neither the Laird of Johnstone nor his heirs shall remove the said John Johnstone, his father, or any of his

brothers from "ony of their auld natyve and kyndlie roumes" or possessions, presently held by them, but shall maintain and defend them. The laird also has forgiven all rancour that he has had or may have against John Johnstone and the others, and shall receive them in hearty kindness and favour as becomes "the maister and chief to do to his servandis and kynnismen," while the said John Johnstone and the others shall truly serve the laird with bodies and goods as formerly. The parties and arbiters signed in presence of Robert Lord Maxwell, Mr. John Bannatyne, Justice Clerk, Andrew Johnstone of Elphinstone, and Mr. Nichol Robison, notary. Admonition also dated 21 July 1551.

30. OBLIGATION by various Johnstones, as follows:—"Forsamekle as our souerane lady, the Quenis Grace, hes our plageis [pledges] in syndrie castellis for guid reule to be keipit in the cuntre, quhilk is tedius and veray sumptuous to us, and [we] maye nocht guidlie susteine the expense thairof; desirand the Lard of Johnnstoun, that ye wald fynd us sum remedy and sum reddy gait that we maye have our plegeis to liberte": they therefore bind themselves by the faith and truth of their bodies, that if any Johnstone for whom they are pledged "man, tennent or servand" commits "stowtht, reyf, fyre, slauther, oppression or ony cryme," they shall immediately after the crime, search for and deliver the culprits to the Laird of Johnstone to be punished. And if they cannot, after all diligence, apprehend the criminal, they oblige themselves "to birne, hery and put of the cuntre the faltour and committar of the cryme," and to satisfy the complainer with their own goods and gear. Subscribed, at the chapel of Dunwiddie, 14th November 1555, by GAVIN JOHNNSTOUN in Perisbehawes, NINIAN JOHNNSTOUN in Fingland, DAVID JONSTOUN in Staywood, JOHN JONSTOUN in Langsyde, DAVID JOHNSTOUN in Banks, JOHN JONSTOUN in Mantanrig. ANDRO JONSTOUN son to Vilchole, DAVID OF JOHNNSTOUN in Hayhills, WILLE JOHNSTOUN in Hayhills, ANDRO JONSTOUN, his brother, MATHE JOHNNSTOUN of the Thrid, VILLE JONSTOUN in Kirkhill, VILLE JONSTOUN in Bruymell, JAMES JONSTOUN, his brother, JAMES JONSTOUN in the Banks, GEORGE GRAYME, FERGUS THE GRAYME, JAME GRAYME, MATHO GRAYME of Badok, JHONE GRAYME of Bordland, ANDRO JOHNNSTOUN in Fuldouris, DAVID JONSTOUN, his brother, EDUERD JOHNNSTOUN, THOME JONSTOUN, JOHNE JONSTOUN of the Court, NIKE JOHNNSTOUN of Fairholme, HERBERT JOHNNSTOUN in Castel hill, DAVID JOHNNSTOUN of the Court, all signing by David Mayne notary; Witnesses Sir James Douglas of Drumlanrig, Warden of the West Marches, James Johnstone of Wamfra, Thomas Johnstone of Cragoburn, James the Grayme of Gillisbe, and Thomas Dunwidde of that Ilk.

31. LETTERS under the Signet of Francis and Marie, King and Queen of France and Scotland, directed to sheriffs in that part, narrating (1) that John Johnstone of that Ilk had, on 8th February 1555–56, appeared before the Lords of Privy Council, and had bound himself, that as it had pleased the queen to free him from ward in expectation of his good service in pursuing, taking and punishing such persons of his surname, and those under them, who shall disobey or commit any crime against the queen, her realm or lieges; and to this end she had caused "the principallis" of his surname and friends to oblige themselves to take part with him, and to serve him to the utmost, therefore he will "stand and abyde at thair avyse and counsale" in all things relating to the queen, "tranquillite of the cuntre," punishing trespassers and "gude rewle of the hale suirname," and he

will maintain them in the peaceable enjoyment of their heritages. He also obliges himself to assist his friends against any intruder on their lands. And because "in executioun heirof and punissing of trespassouris it may chance slauchter to be committit, fyre rasit or uther displesour to be done, quhairthrow the saidis trespassouris, thair freindis, kin and allia, will beir deidlie feid aganis ony persone being in cumpany the tyme of the doing thereof," he obliges himself to take part with that person against the bearers of the feud, and never to agree with them while in that mind. He also promised to attend the Warden's Courts. The Lords of Privy Council then required Johnstone formally to bind himself, which he did, and now the sheriffs are commanded to charge the following:—Johnstone of Wamfra, James Johnstone of Corrie, James Grahame of Gillisbie, Harbert Johnstone of Powdene, Thomas Johnstone of Cragoburn, Gilbert Johnstone in Corhead, James Johnstone in the Kirktoun, Cuthbert Johnstone in Lockerbie, Robert Johnstone in Newton . . Johnstone in Elscheshiells, John Johnstone in Malingshaw, William Johnstone in Brumehill, Robert Johnstone of Begyards, Adam Johnstone in Bathok, Robert Moffat in Grantoun and Thomas Moffat of Knok, and the remainder of the surname of Johnstone, and all who dwell under them, to "concur, assist, fortifye and serve" the Laird of Johnstone in the execution of his bond in all points, and to serve the Wardens "alsweill at dayis of trewis as at uther assembleis" when required, under pain of punishment in their bodies, lands, and goods. Dated at Edinburgh, 4th September [1560].

32. Bond by David Batie, Hew Batie his brother, Nicke Batie called Nicke of the Scoir, John Batie called Braid, Jamie Batie called Mungo's Jamie, binding themselves conjointly and severally to enter to John Johnstone of that Ilk on forty-eight hours warning, within the stone house of the Lochwood, there to remain until lawful entry be taken of them, under the pain of treason, &c. Dated at the Lochwood 5 August 1569. John Johnstone of Gretno, William Johnstone of Newbie younger, Robert Johnstone his brother and Barnie Johnstone witnesses. The parties sign with their hands led at the pen by William Johnstone, younger of Newbie.

33. Bond by Thomas Johnstone in Fingland, Simon Johnstone in Cartertown, Patrick Johnstone in Milbank, Cristall (Christopher) Johnstone there, William Johnstone in Tunnergarth, William Johnstone in Bruymmell, and Gilbert Johnstone in Phairholme, acknowledging that they had "borrowit" from John Johnstone of that Ilk, their chief and master, the following:—John Johnstone in Howgill, Adam Johnstone, son to Mertyn Johnstone in Kirkhill, William Johnstone in Kirkhill, and Ville Bell who had been "presonaris and captivis" to the said John Johnstone that they may be "at fredome and liberte"; and binding themselves to enter the before-named persons or anyone of them as required, in the house and tower of Lochwood, upon forty-eight hours warning, there to remain till lawful entry be taken of them, and that under the penalty of £1,000 Scots to be paid for each person "borrowit" if they do not enter. Dated at Lochwood, 1st April 1571. The parties sign by a notary, David Mayne, before James Johnstone of Wamfray, Robert Johnstone in the Newton, Andrew Johnstone in Marioribank [Marchbank], and Finla Johnstone, his brother, witnesses.

34. Conditions upon which John Johnstone of that Ilk was received to the king's favour and pardon. (1) He shall acknowledge "the

maist excellent prince James the Sext , . . as his onely souerane lord during his lyff, and sall trewly serve and obey his hienes, and his deirest gudeschir, Matho Earl of Levinax, Lord Dernelie, his hienes lauchfull tutour and regent" during the king's minority, and shall give his oath thereto. (2) He himself and all for whom he is bound shall keep the peace and amity between the realms of Scotland and England. (3) He shall, for all bygone offences against the said peace, by himself or his friends, underly such order as shall be determined by the authorities of both kingdoms. (4) He shall not assist any thieves of the surname of Johnstone, and in case any of those for whom he is bound, will not relieve the King and Wardens at the hands of England, and will not obey the laws of this realm, he shall either enter them before the Regent or Justice when required, or shall ride upon them with fire and sword, and burn them or banish them the country. Lastly, he shall enter pledges for fulfilling these conditions. [Not dated, but *circa* 1571.]

35. BOND by Thomas Johnstone of Craigaburn and John Johnstone, his son and apparent heir, for themselves and their "bairnis servandis and tennentis," Robert Johnstone of the Newton for himself and for his "bairnis, brether and brether bairnis, duelland within the bounds of Annerdaill," Andrew Johnstone of Kirkton for himself and for his "bairnis, brether and brether bairnis and emeis bairnis," who all bind themselves in manrent and service for their lifetimes, in the usual form to John Johnstone of that Ilk. Dated and subscribed at Branxholme, 20th June 1571, Walter Scott of Branxholme, knight, Walter Scott, son natural to the late Sir Walter Scott of Branxholme, and others, witnesses.

36. BOND by Robert Ellot (Elliot) of the Reidhwitht [Redheugh], Martin Ellot of the Braidleis and Hob Ellot of the Schaws, acknowledging that they "haif borrowit fra ane honorable man, Johnne Johnston of that Ilk, Johnne Ellot of the Steill, tayne presonar be him," and binding themselves and faithfully promising to enter the said John Ellot in the tower of Lochwood on six days warning, if the said John Johnstone and the said John Ellot "and the freindis of his branche aggreis nocht upoun all thingis debaitable in and amangis thayme betuex and Candillismes nixt cumis; and in the meintyme the said Johnne Johnnestone of that Ilk, his freindis and servandis to be under sicker assurans with the said Johnne Ellot and all his grane and brauche, on to [until] thair aggrement, or entre of the said Johnne, that thai and ilk ane of thame salbe unhurt, unharmit, untroublit, and unmolestit in thair bodyis, guidis and geris, lik as the said Johnne Ellot and his grane and brenche sal be suyr of the said Johnne Johnnstoun of that Ilk"; the bond being granted under the pain of defamation and treason, if violated. Dated at Branxholme, 18 December 1572, the Laird of Buccleuch and others being witnesses. [On an inner page of the original writ is the following significant letter, addressed "To ane honorable woman, the Lady Johnestoun"—"Mastres, my husbund commandit me quhen this band com for Johne Ellot to send it to you, and bad keip the band and lat Johne Ellot hame, and he ordanit me to desyr you to gar sum of the lardis serwandis to put him [escort him] up Ettrik or sum siker gayt, for thame of Dryf or Gillisbe, becaus of thair feid, and sua God keip you. Written be youris at pouer, The Lady Corheid." She was the wife of Johnstone of Corhead.]

37. NOTARIAL Instrument recording an interview between Robert Johnstone, father's brother to the Laird of Johnstone, and James Weir

of Blackwood, elder, James Weir, younger, John Bannatyne of Corhouse, William Weir of Stanebyres, and others their kinsmen and friends being also present. Robert Johnstone demanded whether he was to understand that the "band of kyndnes" formerly made between the Laird of Johnstone, his kin and friends, on the one part, and the said Weirs, elder and younger, and their friends, on the other part, still stood in force, and if so, he requested the two Lairds of Blackwood to deliver up the "foure men with thair armes, horse and geir" whom they had taken captive. To further this result, Johnstone referred the matter to the judgment of four friends of the Laird of Blackwood, who would be sworn, promising to abide by their decision, "becaus thair was na mannis geir fundyn with thame [the prisoners], bot in ane common ostellar howse, beleving na evill quhairthrow thai suld be trublit." But if the Lairds of Blackwood, Corhouse, and Stanebyres refuse his offer, Robert Johnstone declares on behalf of the Laird of Johnstone that he will renounce his portion of the said bond, because he alleged they had broken the agreement by detaining his friends without cause and without commission from the Government. Done at Clydesholme, on 1st February 1572 [1573] at 5 p.m. in the presence of Mungo Lockhart of Cleghorn, William Livingstone of Jerviswood, William Lockhart of Corsfurd and other witnesses.

38. PRECEPT for a remission by King James Sixth, with consent of James Earl of Morton, Regent, in favour of John Johnstone of that Ilk and [his uncle] Robert Johnstone, rector of Lochmaben, for traitorously coming with banners displayed against the king, at the battle of Langside in May 1568, and for all other crimes preceding this date, the murders of the king's father, James Earl of Murray and Matthew Earl of Lennox excepted. Given under the Privy Seal at Edinburgh, 2nd February 1572 [1573].

39. DEED of Submission to arbiters, by which it is agreed upon, between John Johnstone of that Ilk, for himself and "for his surname of Johnstonis and thair servandis on that ane parte, and Fargus Grahame of the Mote, Robert Grahame of the Fauld, Richard Grahame of Meidhop, Arthur Grahame of Blawat, Richard Grahame in Sark *alias* Plump, Fargus Grahame, sonne to umquhile Mathew Grahame, Johnne Grahame sonne to Blak Jok, Wylliam Urving of Greitnohyll, Waltir Urwing his broder, Richart Urwing, Edwart Urwing, thair breder, Johnne Grahame of Cannobie, Wylliam Grahame and George Grahame his sonnis, Edwart Urwing of Kirkpatrik, Mathew Urwing of Burelrone, Richart Grahame *alias* Garis Richart, Richart Urwing of Hurkildale, Johnne Urwing of Steilhill, Wylliam Grahame of Serk, Hutchone Grahame, sonne to unquhile Persevell Grahame, Thomas Storie in Staigmyre, Harbart Storie *alias* Bailie, Qwyntene Grahame in Serk, for thaimselffis, and . . . for thair barnis, bredir, bredir barnis, partie and parte takaris" on the other part, excluding Richard Graham of Netherby his children, servants, &c. The parties bind themselves to abide by, underly and fulfil the decree arbitral of these persons, namely:—John Johnstone of Elscheschelis, Robert Johnstone of Newton, Thomas Johnstone of Craghopburn, Thomas Johnstone of Fyngland, William Johnstone of Tunnergarth, and Symon Johnstone of Cartertown, chosen by John Johnstone of that Ilk on the one side, and Robert Grahame of Fauld, Arthur Grahame, son to Fargus Grahame of Mote, Richard Grahame of Meidhop, Edward Urwing [Irving] of Kirkpatrick, William Armstrong of Mortoun, and Arthur Grahame of Blawat, chosen by the said Fergus Grahame and the other Grahames,

on the other side; with power, if any arbiter be absent from any meeting, to choose another, similarly qualified, in his place—to decide "anent the slauchter of umquhile Archebauld Johnestoun of Myrheid, and anent all bludis, gudis, actionis, caussis, querelis, debaittis, and contraverssis quhatsumevir, that ather of the saidis partiis hes to say, allege or propone aganis utheris before the day of the dait heirof." The judges named have accepted office, and will meet at Craikhauch on 26 May instant, assigning that date to the parties to produce their respective claims, while the arbiters bind themselves to give decree "for making of unite and concorde for weill of bayth the partiis" within forty days; and according as they decern, the parties bind themselves to fulfil the same. Dated and signed by the parties and arbiters at Craikhauch, 11th May 1573, in presence of Sir Walter Scott of Branxholme, knight, John Charteris of Hempisfield [Amisfield], Robert Johnstone, parson of Lochmaben, Adam Scot of Brotherton and others.

An additional clause states that "Abie Armistrang of Wodhousleis, Wylliam Armistrang of Mortoun, Cristell Armistrang in Auchingavill," for themselves, brethren, and servants, also desire to submit to the twelve arbiters named "anent thair being upoun the feild with thair freyndis the tyme that Patrik Johnistoun of Mylbank, and Cristell Johnstoun thair, Mungo Johnistoun, Edwart Johnistoun his broder, gat ony skaith" and bind themselves accordingly.

40. Document without date, but probably bearing on the above agreement.

"Be it kend be thir present wrytin, I, Furgus the Grame of the Moit, and Eduerd [Irving] of Kyrkpatrik, that we sall furthfyll all our speikin that we maid to that maist honorabill man the lard of Bukcleucht, and till the lard of Johnstoun, one Craikmoir at owr last meitin; and sall put it in the lard of Bukclewchis hand and sall keip it fathfulle be the trewtht of our bodyis, and sall had it in owr mindis as ane doun mater, and sall keip poyntit day and place, quhen ye think expedient; and desyris you to send ws siklyk sekarty till ws with Reche of Ballze that sa the poyntin of the tryst with Rechy of the Balle, quhen ye think best, and forder he will tell you owr stop. Subscryvis this wrytin, I, Furgus the Grame of the Moit, with my hand at the pen and Eduard of Kyrkpatryk with my hand at the pen, befoir thir witnesis, Williame Johnestoun of Hayhill and Thomas of Fyngland and Reche the Balle, with uther divers."

41. Bond of Maintenance by John Johnstone of that Ilk, whereby, "forsamekle as Johnne Johnnstoun in the Greinhill is becummit my man and servand in all tymes cumin, lelilie and treulie to mak me faithtfull service on horse or on fute as he beis requirit" the granter binds himself to uphold and maintain the said John, his "man," against every one having question against him "lik as ane faithtfull' maister aucht to debait his true servand" in all his possessions; "and in speciall in the heritable rycht of the saxt merk land and ane half in Greinhill, ane merk land in Kirkpatrik occupiit be the Taitis" which the said John holds of the granter. Dated at Lochwood, 2 July 1573, David Johnstone in Moling and David Mayne, notary, witnesses.

42. Letters of Assignation by Thomas Johnstone, son to Cuthbert Johnstone of Cowrans, feuar of the Bordland of Soulseat, whereby, for the sake of "brothairlie luif" borne to his brother, Symon Johnstone, and to William Johnstone his brother's son, scholar "for his intertenment at the scholis to get lair, sience, and knawledge," also for a sum of

money paid to him by John Johnstone, father of the said William, he makes and constitutes Symon and William and the survivor, his assignees in and to a lease made in his favour, at Soulseat 2 May 1558, by John [Johnstone], Commendator of Soulseat, of all the teinds and teindsheaves, rents, silver and other profits belonging or that may belong to the Abbey of Soulseat, to endure for nineteen years, at a yearly rent of five hundred merks, with the payment of the brethren and religious men of the Abbey, relieving the Commendator and his successors of all taxations or subsidies that during the lease, shall be exacted by pope, prince, or bishop, and holding the "place and queirris of the said Abbay of Saulset in thak and glass, conforme to all use and wount"; transferring all right and claim from the granter to the grantees, with full power under the lease. Dated at Dumfries, 22 June 1574, Cuthbert and William Johnstone, the granters brothers, John Edgar, burgess of Dumfries, Herbert Cunningham, sheriff clerk, Sir Robert Houstoun, vicar of Glencairn, and others, witnesses. [An indorsation states that formal intimation of the assignation was made to the Commendator on 23 June 1574.]

43. Bond or Agreement between John Johnstone of that Ilk on one part, and "the auld tennentis of the landis of Kelheid" on the other part, as follows,—"the said tennentis is contentit to cum in his will and mak him thankfull payment and dalye service, with mwlter beir, and keyne foulles, and to pay thair enteres betwixt this and new yeirs daye nixt"; while the Laird of Johnstone binds himself to warrand and defend all the tenants that enter with him, and pay "thair dewties and service" during the life of Jean Johnstone, his sister, liferentrix of the lands. Dated at Cummertrees, 9th December 1577. John Johnstone of Newby, Pate Johnstone of Mylnbank, Edward Irving of Kirkpatrick, Alexander ACairlyll in Soupilbank and John Johnstone of Cummertrees, witnesses. Signed "Johnstone off y^{t} Ilk w^{t} my hand."

44. Submission by the Clan Johnstone of their disputes to the arbitration of twelve of their own name, and the Laird of Johnstone, beginning: "Be it kend till all men be thir presentis writtingis, ws that beris and hes the nayme of Johnnstounis in speciall and in generall quha dependis upoun the Lard of Johnnstoun, that quhar ony actioun or cause of contraversie is in and amangis ws or ony of ws, as blude, guidis, landis, steidingis, roumis and possessiounis, vrangis or unkindnes, or quhatsumevir cause or causis debaitabill" they bind themselves in the usual form to abide by the decision of Robert Johnstone in Carnsolocht, Thomas Johnstone of Cragoburn, Gilbert Johnstone of Wamfray, Robert Johnstone in the Newton, Thomas Johnstone in Podene, John Johnstone in Howgill, Thomas Johnstone in Fingland, Mongo Johnstone in Lockerbie, Wilkein [William] Johnstone of Elscheschelis, Gilbert Johnstone in Phairholme, Cirsti [Christopher] Johnstone in Milbank, Andrew Johnstone in Marjoribanks, "as amiable freindis equalie chosin be the rest and consent of the nayme that hecht Johnnstoun for thair commoun weill" with John Johnstone of that Ilk to act as oversman, being "thair cheif and maister." Any one refusing to fulfil the decree of the arbiters shall be punished as the others think good; and any one of the twelve arbiters having a question of his own is to submit it to the others and abide by their decree. Those thus chosen "of every grane that hecht Johnnstoun" have signed the writ at the Chapel of Dunwiddie, 2 December 1578. Signed by the Laird, the Arbiters, and a number of Johnstones.

45. A BOND by John Johnstone in Hougill, John Johnstone in Kirkhill, John Johnstone in the Mylne, Adam Johnstone son to Mertyn Johnstone in the Kirkhill, John Johnstone, son to "Clementis Ade," Watte Johnstone in Hilhouse, Criste Johnstone in Bighill, Thomas Johnstone in Fingland, Gilbert Johnstone his son, John Johnstone in Cartertoun, Ninian Johnstone in Fingland, David Johnstone in Staywood, Andro Johnstone in Tynnergarth, parson thereof, William Johnstone son to David Johnstone in Hayhill, Gilbert Johnstone in Fairholme, William Johnstone in Priestdikes, David Johnstone in Roberthill, Ninian Johnstone in Castelhill, Andro Johnstone in Lokirbe, Mongo Johnstone there, Mertyn Johnstone in Myrheid, John Johnstone called Greinside, Edward Johnstone son to John Johnstone of the Quavis, Edward Johnstone in Westwood, David Johnstone his brother, Wille Johnstone son to Andro Johnstone of the Quawis, John Johnstone of the Burn, John Johnstone "Chepmannis John," Patrick Johnstone in Auchinslock, Cristall Johnstone in Milbank, Wilkyn Johnstone of Elscheschelis, James Johnstone, elder of Bruymell, William Johnstone in Brigmur, David Johnstone in the Reidhall, John Johnstone in Bruymmell, son to the late "young James" there, John Johnstone of Gretno, Robert Johnstone in Newbie, Thomas Johnstone in Priestwodside, William Johnstone in Reidhall, James Johnstone in Capilgill, Robert Johnstone in Middlequarter, James Johnstone in Croftheid, Adam Johnstone his brother, Thomas Johnstone of Podene, Symon Johnstone in Stanrehoushill, Watte Johnstone in the Banks, James Johnstone in Kelrigs, David Johnstone his son, Adam Johnstone, son to Will of the Banks, Michael Johnstone son to James Johnstone called "James with the Beird," and Thomas Johnstone, son of David Johnstone in the Banks. Because at their request, their "chief and maister" John Johnstone of that Ilk, has bound himself to the King and his Lieutenant at the last Justice Court held at Dumfries, and "hes plegit his lif, land and heritage, for us and the rest of our surnayme, Johnnstounis, that we, our men, tennentis and servandis salbe ansuerabill to the lawis of the realme in all tymes cumin," and also to satisfy all making complaints against them and to procure the release of their sureties. They therefore bind themselves to concur together to search for and punish any one of their name who shall commit any crime by which the Laird of Johnstone may suffer under his bond; and failing apprehension of the criminal "to birn, hery" and banish him from the district. Providing also that if any slaughter be made or blood drawn in the punishment of "faltouris," it shall be found "na falt nor faill be the doar thairof in ony time cumin, but ilk ane to stand upright with uther lik as thai did of before the mackin of these presentis. Signed by David Mayn, notary, who wrote the names of the parties at Southwoodfoot, 3 January 1578 [1579], Robert Grahame in Langboddum, and Patrick, his brother, with others, witnesses.

46. COMMISSION under the great seal, by King James Sixth, appointing John Johnstone of that Ilk to be Warden of the West Marches, in succession to John Lord Herries, within the bounds of Eskdale, Ewesdale, Wauchopedale, Annandale, Nithsdale, and Galloway both above and below the Cree, giving him also full powers of Justiciary, in the usual form. At the Castle of Stirling, 27 August 1579.

47. BOND of manrent by James Graham of Gillisbe in the usual form to John Johnstone of that Ilk, Warden of the West Marches. Dated at the Lochwood, 17 September 1579. Walter Scot of Tushilaw and others, witnesses.

48. OFFERS made by Sir Thomas Ker of Ferniehirst to the Earls of Morton and Angus, not dated but some time in 1579.

First. He offers to acknowledge the king's authority and to serve his Majesty truly to the utmost of his power. Secondly. He never meant to do any offence to the Earls of Morton and Angus because he bore them ill will, but only to advance the service of one he "professit for the time," and he acted according to orders, but he offers to confess publicly his offence and humbly crave their pardon, admitting also that he deserved any loss he had received at their hands. Thirdly. He offers the marriage of his eldest son to be bestowed by them upon any of their friends "of honest and sufficient rank." Fourthly. Notwithstanding that the chief of his near kin suffered during the Earl of Morton's government, he offers his perpetual bond of manrent and service to the two Earls. Providing always that by their means, he may obtain the king's pardon, and may also enjoy the benefit of the Act of Pacification and be restored to his possessions, as before his forfeiture; that he may also receive his "hail letteris and evidentis that com in thair handis be the redditioun of the Castell of Edinburgh be the umquhill laird of Grange." He also desires a bond of maintenance "according to the accustumed fassioun of the realme" that he may remain in peaceable possession of his own property and also of what belongs to his "guidmoder" the Lady Grange, and to his children by the death of her late hushand, their "guidschyr."

A separate paper gives the answers made by the Earl of Morton to the above offers, as follows:—

First. He is not now Regent, and has, therefore, remitted the first offer to be dealt with by the King and Council. Second. He for his own part, accepts the offer of a public confession. Third. The Earl is content to accept the offer of the marriage, not, however, of Ker's eldest son, but of such a son as the Earl shall please, "the said Thomas infefting him in his landis with sic sufficient provisioun," as the Earl shall devise. Fourth. The Earl accepts the offer of manrent and service if made with good security. As to the suffering referred to, that was inflicted by the royal authority for offences committed, and therefore "aucht to be buryit and not to be spoken of. As to the last article, the Earl can only promise his goodwill. He is content to recover and deliver the missing letters and evidents, and also to give a bond of maintenance, but desires the clause about the lands to be made more particular, though he thinks it "not meit to the said Thomas to be curious to mell in this mater" until he is truly received to the king's favour. The Earl further desires that before the affair is concluded, there may be some agreement between the Laird of Ferniehirst and the town of Jedburgh, the Lairds of Hundalee, Hunthill, Edgerston, and other Rutherfords, the Laird of Bedrule and other Turnbulls, the Laird of Bonjedburgh and his friends, all these being friends and dependants of the Earl, and that in respect of their faithful service to the king, and to the Earl during his Regency, "quhilk being done may further the said Thomas to the greter favour" from the king; while if he refuse "it may perhaps be ane occasioun of impediment."

49. DOCUMENT relating the offers (addressed to the Laird of Johnstone as Warden of the West Marches, to the children of the late Simon Johnstone of Smallgills, to James Johnstone of Capelgill and others of their kinsmen), made by "Arche Armestrang, Ringen Armestrang, Farge Armestrang" brothers, with consent of their brethren, brothers sons, kin and friends, "for the sodand and unprovydyt slawchter of umquhile Symon Johnstoun of Smallgylles."

First, they offer full repentance to God for the slaughter, beseeching him that they do not attempt the like hereafter. Secondly, they offer "to be fathar to hes bairnis and brether to hes brether" in all their affairs. Thirdly, they offer to become bound in manrent and service to the Laird of Johnstone and his house for ever. Fourthly, they offer to appear in the Church of Moffat or any other convenient place in their linen clothes kneeling, with their drawn swords in their hands, delivering them by the hilts in token of repentance. Fifthly, they offer to pay to the kinsmen and friends of the deceased the sum of four hundred merks Scots, at reasonable dates. Sixthly, they offer, if the above be not accepted, to abide by the judgment of four Johnstones and four Armstrongs equally chosen by both parties; and Seventhly, they offer to pay to the eldest son of the deceased Simon, a horse worth one hundred merks, or else one hundred merks, money, as he pleases; "besekand you for the lwff of Allmychty God to tak and exsepe [accept] thes our sempell offar, and your ansaur we hoomly besek." [Not dated, but about 1579–80.]

50. AGREEMENT between John Johnstone of that Ilk, Warden of the West Marches, on the one part, and Edward Maxwell of Tynwell and James Maxwell of Porterrak, by which the latter, taking burden for their kin, servants and friends, bind themselves to take "ane trew, plane and uprycht part" with the said John Johnstone, against John Lord Maxwell, Roger Grierson of Lag, their party and parttakers, and all others with whom the said John Johnstone has or shall happen to have any quarrel or controversy, the king only excepted. In return, the Laird of Johnstone binds himself to take part with the said Edward and James against Lord Maxwell and Roger Grierson. Neither party shall assure or agree in any way with Lord Maxwell or Grierson without the consent of the other party, and both parties are bound by the faith and truth of their bodies to keep this obligation to each other. Dated and signed at Lochmaben, 8 April 1580; witnesses, Robert Johnstone of Carnsalloch, Walter Scott of Tuschelaw, John and Mungo Maxwell, brothers of James Maxwell, and Herbert Carlyle.

51. EXTRACT Act of Privy Council, ordaining William Lord Ruthven, Treasurer, to pay to John Johnstone of that Ilk, the arrears of wages due for the garrison of horsemen presently in service on the West Borders, and also their future wages, so long as they are maintained; likewise the fee due to the said John, so long as he continues to be Warden. Holyroodhouse, 24th September 1580.

52. OBLIGATION by Cirste [Christopher] Armstrang of Barngleis for himself, his heirs, &c., to John Johnstone of that Ilk, Warden of the West Marches, that he will produce Nikke Lytill called "James's Nikke" and Nikkie Lytill called "Engrenis Nikkie" and enter them to answer for all complaints against them either by Scotland or England, on eight days notice under a penalty of £1,000 Scots. Lockerbie, 8th February 1580 [1581], Mongo Johnstone of Lockerbie and George, his son, witnesses, with others.

53. BOND by John Johnstone in Cairtertoun and Thomas Johnstone of Fingland, to John Johnstone of that Ilk, that the said Thomas "now being present in Lowmaben and to depart to his awin hous, sall cum again upoun Sunday nixt, the xxvj of this instant, and enter in Lowmaben to the said noble man, and remane quhill lawfull entre be takin off him"; meanwhile "Wille and Syme Jhounstonis, his sonis, sall remane in the said towne quhill the said Thomas returne; and

geyf the said Thomas or his sonis foirsaidis dois in the contrair" they bind themselves that all their lands, &c. shall come in the Laird's hands for ever, under pain of treason and perjury. Dated at Lochmaben, 21 February 1580 [1581].

54. BOND of Assurance, by the parties subscribing, to John Johnstone in Chapell and his brothers, Robert Johnstone in "Ventoun" [Newtoun?] his bairns, and their party, also subscribing, that so far as they are concerned, these may go and come in safety by night or by day, and that in respect of the slaughter of Robert Grayme of Langbodome; binding themselves also hereby, the one party to accept and the other to fulfil the satisfaction therefor, to be awarded by their chief and master, the Laird of Johnstone. Dated at the Chapel of Dunwiddie, 14th June 1581, before Edward Irving of Bonschaw, Mungo Johnstone in Lockerbie, Jok Johnstone in Howgill, and Andrew Johnstone, parson of Tunnergarth, as witnesses. The parties subscribing are, Robert Johnstone, Gilbert Johnstone of Wamfray, David Johnstone in Garwald, Robert Johnstone younger, Gilbert Johnstone of Glenkill, Mungo Johnstone in Howcleugh, James Johnstone in Balgra, Robert Johnstone in Rountrieknow, Gavin Johnstone in the Vicarland, Robert Johnstone, younger, in the Newtoun, John Johnstone in Chapell, Robert Johnstone in Newtoun, Gavin and Jok Johnstone, his sons, Thomas Johnstone in Chapell, "with our handis at the pen led be the Laird of Johnestoun, our Chief," who adds his signature "Johnestowne."

55. OFFERS by Edward Irving of Bonschaw, George Grahame of Renpatrick, and John Irving of Knockhill, made to the Laird of Johnstone, "and to the wyif and bayrnis" of the late William Johnstone in Hayhill, their kin, &c., for the offerers, their kin, &c. "for being on the feild at the unhappe slauchtter of the said umquhile Williame" which they "sayrlie repent." First, they offer full repentance in their hearts "beseiking God of his infinit gudenes that we be newar on the feyld, quhare ewar siclyike offensis be committit and ernistle crawis forgevnes for Godis sake." Secondly, they offer "to try oure innocens and to acquite ws and all ouris that nane of ws schot that unhappie schot quhareby the said Williame was slayne; nor bure the said Wilhame na rankour in our harttis, and that be sic sufficient men as the Layrd of Johnstoun will appoynt, that we ar able to get or will do for us." Thirdly, they offer George Irving son to Edward, and 'Christe the Grahme," son to George Graham, "to be enterit in the hous of the Lochwode to the Layrd of Jonstoun, and thaire to byide sic tryale as the layrd will appoynt that nane schot the sayde schot," and if either of these be found guilty of shooting the said William, the offerers consent to their punishment, without any prejudice to this offer. Fourthly, they offer to attend at any place appointed by the Laird and "his wyise freyndis," and there in their linen clothes to kneel and ask forgiveness, and in token of homage and repentance take their naked swords by the points in their hands, and offer them to the Laird, bairns and friends of the said William "in maner of sufferage" as may please them. Fifthly, they offer "to be bound as husband and father to the saidis wyif and bairnis" in all their affairs, and to take part with them against all who would do them wrong, except the king, their landlords "and sic otheris as we haif committit the lyike offence aganis." Sixthly, they offer the sum of 500 merks to the family of the deceased; and Seventhly, will increase their offers if the above are not accepted, the Laird and his friends to be judges. And, finally, they humbly

crave forgiveness for the love of God. Dated February 1581–82, the parties signing by Thomas Scot, notary, in presence of John Johnstone of that Ilk and Andrew Johnstone of the Kirktoun.

56. OFFER, in the form of a letter to the Laird of Johnstone from Will. Bell of the Nook and Will. Bell of Blackethouse. They state that on 23 January, Will Bell of the Nook taking burden for the others had written to the Laird, "anent the bering of the portiwis off us four Bellis" [*i.e.*, their enrolment on the portable roll or list of criminals]. To which the reply was that they were borne on the roll for treasonably breaking their bond and promises. But now "I, Will Bell off the Nuik and Will Bell of Blacathons . . takis the burding upon us for Rany Bell and Watty Bell, our brether, to menteine and verifie that alleggit band, quhilk we ar borne for, to haive bene devysit and invented be yow [the Laird] and sik utheris, we beand in your ward and in dainger off our lyves and for feir and savetye off same wes constrynit to subscryve and to do quhat ye wold have ws; and ther foir, geve ye or ony that ye can move will beir us as unhonest personis for ony point contenit in that pretendit writing, we four will offer our bodeis for tryall of our awin honour and in preving of theis personis unhonest quhilk falslie wald meine to accuis us." Provided that they may be assured of personal safety by entering such persons as they may name in the place of Drumlanrig, as sureties, to remain till the lawful trial of their dispute and they promise to keep the appointed time and place. Dated at ——, 6th February 1583 [1584].

57. BOND by Richard Grahame "callit Hutschonis Reche" to Sir John Johnstone of Dunskellie, Warden of the West Marches, who has taken him and imprisoned him in the tower and fortalice of Torthorwald; and as he cannot gain his liberty without this bond, he binds himself to remain in the said fortalice and the yards thereof, and shall not pass forth at "the utter yett" without leave first asked and obtained from the Warden, under the pain of treason, &c. Further, if he wishes to give up this bond and be no longer under promise but trust to his own protection, he binds himself to enter within the tower and give up his bond there. Dated at Torthorwald, 10th August 1584, one of the witnesses being Mr. William Leslie, brother to the Laird of "Boquhane."

58. ASSURANCE by John [Maxwell] Earl of Morton, declaring that John Johnstone, "callit Grenehill," and twenty-two others, now in the Castle of Lochmaben, shall be unhurt and unmolested by him, his friends and partakers, in bodies, lands or goods, for any crime which he or his friends may impute to them, provided none of them do anything prejudicial to the granter or his friends. Dated at Dumfries, 24 August 1585, Captain James Frissale, Mr. William Leslie, and others, witnesses. (Signed) "MORTOUNE."

59. SIGNATURE by King James the Sixth, for a gift under the Privy Seal, granting to Sir John Johnstone of Dunskelly, knight, Warden of the West Marches, and Dame Margaret Scott his wife, the escheat of the tack of the teindsheaves, parish of Lochmaben, and of all goods, moveable and immoveable, in the bounds of Annandale, Eskdale, Ewesdale, and Wauchopdale, with the escheat of the lands and baronies of Carlaverock and of the tack of the teind sheaves of the town and parish of Dumfreis, which are all in the King's hand because John Earl of Morton, their possessor, had been denounced rebel for not entering [with the Government] certain persons of the name of Armstrong for

whom he was bound, and for other offences. [Date, blank, but about 1585.]

60. MUTUAL BOND of Assurance by Walter Grahame and William Grahame for themselves, children and friends on one part, and Riche Grahame of Medupp, Richie Grame of the Mote, "Willie Grame alias Carliell, Huchons Androwe, and Huchons Richie" on the other part, that they will keep the assurance made by them to Lord Scrope, till such time as lawfull entry be made of Francis Bell, John Bell, and Jock Bell into the "pledg chambre" of the Castle of Carlisle, and for five days thereafter. Dated, 23 February 1586–7.

61. BOND by James Douglas of Drumlanrig, taking burden on him for Carlyle, Bell, and Irving of Turnshaw, assuring Edward Irving of Bonshaw "his pairtye and pairttaikeris Scottismen quhatsumewyr, alsweill unnaymet as namet" that for twenty days to come they shall be unhurt and unmolested; the granter promising faithfully that the assurance shall be kept. Dated at Lochwood, 22 November 1587, witnesses, Roger Grierson of Lag, Alexander Jardine of Applegirth, knight, John Menzies of Castelhill younger, and the Laird of Franchland.

62. ANOTHER BOND by James Douglas of Drumlanrig for himself his kin, servants, &c., Bells, Carlyles, and partakers both Englishmen and Scotsmen, that James Johnstone of that Ilk, his kin &c., Edward Irving of Bonshaw and his kin shall be unhurt and unmolested until the 14th September next. Dated at the Ross, 27 August 1588, among the witnesses being Mr. Robert Douglas, provost of Lincluden.

63. A LONG LIST made and signed by James Douglas of Drumlanrig, of offences committed by persons of the name of Johnstone in the years 1587 and 1588, against his tenants. The injuries complained of are chiefly thefts of horses, cows and sheep, but money also was carried off in many cases, furniture or "inside plenissing."

64. CLAIM made by James Johnstone of that Ilk against John Lord Maxwell.

He complains that Robert Maxwell, natural brother of Lord Maxwell, the late Mr. David Maxwell and their accomplices, English and Scotch rebels, to the number of six score came to the place of the Lochwood on 6 April [1585], and treasonably "brint the place, mantioun, and haill houss thairof, with the haill insycht thairin, bedding, plenesching, and brint and distroyit my chartour kist with my haill evedentis and wreittis besyd uther jowellis, commitit under silence of nycht be the command and spetiall directioun of the said Jhone Lord Maxwell, &c. Secondly, he complains that Lord Maxwell himself on 15th and 16 May the same year, with his whole forces, came to the barony of Johnstone and "brint, slew, herreit and sackit" the barony and the lands of the complainer and his tenants in Annandale and Nithsdale, and carried off they "beand baith Engless men and Scottis, thair haill quick guiddis, their insycht and planesching in greit quantite, besyd the waisting of my haill heland rowmes this fyve yeir bigane." The complainer values the damage at 100,000 merks, for which he craves compensation from the Arbiters. [*Circa* March 1590.]

65. ARTICLES OF SUBMISSION between John Earl of Morton, Lord Maxwell for himself and kin &c., on the one part and James Johnstone of that Ilk for himself and friends on the other part, agreeing to submit to Sir Robert Maxwell of Spotts, knight, Edward Maxwell of

Tinwald, John Maxwell of Conhaith, and John Lindsay of Auchinskeuch, arbiters chosen for Lord Morton, and Robert Johnstone parson of Lochmaben, Andrew Johnstone in Kirktoun, Robert Johnstone called of Newbie, and James Johnstone of Brakenside, as arbiters for James Johnstone of that Ilk, in regard to all questions, quarrels, controversies and disputes between the parties, preceding this date; the said arbiters to convene at Shiellhill House on 17 March [1590] and accept office, and to give their decree arbitral between now and the 25th March. Both parties bind themselves and their friends to abide by the decision given, excluding all heritage or heritable tithes affecting either party. They also mutually assure each other against molestation until the 25th of March. Signed at Dumfries and Lochwood, on 12 and 13 March 1590. Witnesses, John Johnstone burgess of Dumfries, James Johnstone in Garwald, Robert Maxwell of Castlemilk, William Maxwell apparent of Tinwald, George Carruthers of Holmends, and others. Signed by "Mortoune," "Johnestoune," and the others.

66. COMMISSION by King James the Sixth, appointing Sir James Johnstone of Dunskellie, knight, as Justiciary and Bailie within the bounds of Annandale and Nithsdale, with the usual full powers of holding courts, punishing transgressors, &c., over all persons of the surname of Johnstone, and all others his kin, friends, vassals, servants, tenants, &c., exempting them from all appearance before the Stewartry Courts at Annandale, as granted to the late Sir John Johnstone. Given under the Quarter seal, at Holyroodhouse, 10 June 1590.

67. BOND by the Johnstones of Millbank and Auchinstock, as "principallis" of their "brench," and taking burden for their dependants, that as Sir James Johnstone and Robert Douglas of Coshogill had become cautioners for the subscribers to the King, they oblige themselves to keep their chief and Robert Douglas "skaithless" of all danger incurred by their cautionry. Dated at Dunwiddie Green, 3 November 1590.

68. MUTUAL bond of amity between John Earl of Morton, Lord Maxwell, and Sir James Johnstone of Dunskellie, knight, whereby each for himself and his friends, in consideration of the fear of God, obedience to the King, and common weal of their native country, also because of their consanguinity and the neighbourhood and ancient amity between their respective houses, freely remitting and forgiving to each other all rancour of mind and the feuds existing between them and their "forbears" in time past, they agree to live in a firm friendship. Lord Maxwell promises to appoint two steward deputes at the nomination of Sir James. If any of their followers do not consent to this bond, he is to be a common enemy of both parties. In case of questions, four Maxwells and four Johnstones are to be arbiters, with the King as "oversman." Dated at Achmynnie Hills, 5th April 1592.

69. THE Latter Will and Inventory of the goods, &c., belonging to John Johnstone *alias* Greenhill, with the "legacy and distributioun of the same, given up and left "be his awin mouth" at the place of Covington, 28 August 1592, before James Johnstone of Westraw, Mr. James Lyndsay, commissary of Lanark, Robert Johnstone, merchant, and Mr. Alexander Spittell, minister at Liberton, witnesses. First, he being sick in body and whole in mind, commits his soul to God, protesting true penitence for all his offences, &c. Secondly, he constitutes James Johnstone in Nethertoun, his near kinsman, his only executor, with full powers to dispose of and distribute his goods to the

persons named. Because of the goodwill and maintenance he has had in times bygone from the Laird of Johnstone, his chief, and for the help of his "bairnes," and that neither the Laird nor his Lady may hurt or prejudge his children or executor in possession of his goods, &c., and for avoiding discords among them, be leaves to the Laird his horse, with 200 merks due to him by John Johnstone of Howgill; item, he leaves to Lady Johnstone "xxiiij kye and oxin," and four score lambs, owing to him by the same person. For provision to his children, he leaves, first, to Elizabeth Johnstone his daughter the right, title, and kindness which he has of the lands of Batok, and of the tack and possession of the lands of Kirkpatrick, she to be married at the discretion of the laird and the executor: Item, he leaves to his son John Johnstone, his kindness, right, and possession of the six merk land of Greenhill, and in case of his death he leaves the same "rowme" to Thomas Johnstone, his brother, and ordains him to "intertene the said bairne" and possess the "rowm" till he come to majority: Item, he leaves the whole debts due to him by Walter Cowthird of Glentewing, to Margaret Johnstone, his daughter, with the sum of £100 Scots due by — Pollok of that Ilk, another £100 due by Thomas Muir in Glasgow, and likewise the sum of 400 merks, which he ordains Thomas Johnstone his brother to deliver to the said Margaret and to his executor in her name, for her use till she reach majority, and this without prejudice to the executor's right and title over Glentewing, and the said debts, &c. are to pass to the executor, if Margaret die without issue: Item, he leaves to Catherine Johnstone, his daughter, £20 with a cow, owing by William Johnstone of Rountrie Know, and another £20 due by Thomas Boyll in Drumcrie: Item, he leaves to Isabel Johnstone his sister, a cow and a calf: Item, he leaves to two sons (names blank) of Walter Johnstone, his brother, and to Johnstone, his own sixteen cows and nine nolt, with Tamrell Paterson in Greenhill, to be divided amongst them: Item, he leaves to Janet Johnstone, daughter of James Johnstone in Blacklaw, six nolt, three of which are in the hands of James Crosby and John Moffet in Kirkhope, and other three in the hands of Duncan, John and George Gillespies: Item, he leaves to her, eight old sheep and their lambs, in Tamrell's hands: Item, to Martin Johnstone in Myrehead two oxen, now with "Luce of the Brogmure": Item, to little John Johnstone in Dumfries one ox, in the hands of Andrew Moffat in Haragstane: Item, he leaves to the Laird of Westraw £40 Scots, owing by the Laird of Earlshauch, £30. due by the Laird of Hacshaw [Halkshaw], and £30 owing by William Chancelleir, servant to the Laird of Covington: Item, he leaves to his "sister sones" £140 owing by Ninian Haliday, servant to Robert Johnstone of Kirkhill, with sheep and goats in the hands of , to be divided between them: Item, he leaves to them his right and kindness of the merk land called Taitt's land, and his right to the two merkland of Ershbank, holding of the elder Lady Johnstone during her life, together with the promise made by his chief to lease the land to him after her death, which promise he desires his chief to keep to these two "bairnes," and ordains them to be helpers to his son and brother in defending themselves in his steading of Greenhill: Item, he leaves to Eleazar Hamilton, son of Sir James Hamilton of Crawford-John, knight, five or six nolt in Evindaill: Item, lastly, he leaves to his executor all his goods and gear, provided he distribute the goods and legacies specified, and in the mean time he ordains Thomas, his brother, to be consulted in all his affairs: And for his true and thankful service to his chief he ordains that he see his bairns or executor get no wrong, but that they be maintained and defended by

him. With power to the executor to amplify the will by the advice of the said minister and others, until the same be made sure, and to fulfil the things commanded, as he shall answer to God. [On 8th September 1592, the ward, nonentry, and relief of the four merk land of Betok [Beattock] and two merk lands of New Park, in the parish of Kirkpatrick-Juxta, were granted by the King to Dame Margaret Scott, the elder Lady Johnstone, from the death of John Johnstone of Greenhill, until the entry of the righteous heir to the lands, which were held in tenantry of the Crown.]

70. ANOTHER BOND between John Earl of Morton, Lord Maxwell, &c., on one part, and Sir James Johnstone of Dunskellie, knight, &c., on the other part, binding themselves that neither they nor their friends "sall trafficque, assuir or agrie" with Sir James Douglas of Drumlanrig, knight, his kin, &c., without the advice and consent of the other party, and any agreement with Douglas is to be made by both on the same day. In any dispute with Sir James Douglas both parties are to "concur, fortify and assist" each other against him to the utmost of their powers. And if Sir James Douglas or any of the parties or their friends be hurt or slain, the parties shall concur against Douglas, "and sall tak ane uprycht, efald and trew pairt" with each other, till "the said feid be agreit or reconcelit." Signed by the parties at Dumfries, 13 March 1592–3. Witnesses, Robert Maxwell of Castlemilk, George Carruthers of Holmends, Mungo Johnstone of Lockerbie and James Johnstone of Kirktoun.

71. AGREEMENT between Sir James Douglas of Drumlanrig, knight, Robert Maxwell of Castlemilk, and Thomas Kirkpatrick of Closeburn, to assist John Earl of Morton, Warden of the West Marches, in apprehending Sir James Johnstone of Dunskellie, knight, his Majesty's rebel, for divers odious crimes and for reset of the murderers of the men of Sanquhar and sundry other fugitives, in his house of Lochwood; and as the Earl of Morton has deputed Robert Maxwell of Castlemilk for this task, with the concurrence of Thomas Kirkpatrick of Closeburn, and such other barons of the wardenry as may be moved to further the King's service, Sir James Douglas engages to assist them, and all three bind themselves to stand by each other in any feud or trouble which may arise from the enterprise. Dated and signed at the Blackwood-head, 23 October 1593. Herbert Maxwell of Cavens, witness.

72. BOND by Amer (Aylmer) Maxwell of Garnselloch, George Maxwell of Drumcoutren, William Maxwell of Tinwald, younger, John Maxwell of Porterrak, and Mungo Maxwell there "in respect that we ar tain pryssoneris be Schir James Jonstoun of Dowskelly, knycht, and borrowit our selfis upon our awin bandis, quhairfoir we and every ane of ws bindis and oblissis us be the faith of our bodyis and lykwayis under the pane of tressoun that we sall enter our selfis in the same forme we ar releiffit unto in the hous of the Lochwood the aucht day of Januare, and thair remain quhill lauchfull entry be tain of us be the said Schir James." In the mean time they shall in no way trouble Sir James or his friends, civilly or criminally. Dated and signed at the Lochwood, 10th December 1593. [Four days after the battle of Dryfe Sands, in which Lord Maxwell was killed.]

73. PROPOSALS by Sir James Johnsone of Dunskellie for a friendly agreement with Lord Maxwell, the son and successor of the late Lord.

Sir James begins "Forsamekill as I . . . considerand Godis glory and [the] Kingis Majestyis quyetnes and the commounwelth of this contre, persaveand ane grit troubill to fall out in respect of the last unhappy and ungodly wark that fell out betuix the Lord Maxwell and his freindis . . . and me and my freindis . . . the quhilk I tak God to witnisse and all guid men, how that troubill com on me in considderatioun of the grit skaithis of fyris, heirschipis and slauchteris done be the foirsaid lord and his partakeris upone my umquhill father and our freindis, the quhilkis skaithis and desplesouris wes his deith. Nochttheles God knawis I had dispenssit and buryit thai materis in my hart, and to verryfie had maid ane hartly agrement with the foirsaid lord, and thocht never to call to compt sic thingis done of befoir, as oure bandis and handwrytis beiris in effect. Nochttheles, it is nocht unknawin how he maid ane uther privat band for the wraik of me and my freindis and throw thir occassionis it is thocht that it salbe and is alreddy the breking of the Borderis, to the grit wraik of all trew men and innocent pepill in thir pertis." To avoid this result Sir James is willing to give security, that neither he nor his partakers shall do any "skaith" to any one partaking with Lord Maxwell "in the last troubill," provided he may have similar security. "And as anentis the perticuller deidly feidis, let that be ussit as the pertyis pleiss and that in the taking of men and horse as thai may be had; and let all men keip fra the danger thairof as thai best may." If any of his friends recklessly take goods belonging to any Maxwell, Sir James promises to give redress within four days after being informed of it, and he suggests that a day should be appointed for this. If this offer is refused, he will present a copy "befoir his Majestie and the Kirk where throw," he adds, "I sall tak God to witness of my innocency, and sall do as I have done of befoir, lein upone Godis releiff in my lauchfull defence." Dated and signed at the Lochwood, 30th June 1594. The laird of Wamphray, Mr. Alexander Menzies of Carterhalls, and others, witnesses.

[A precept was issued on 24 December 1594, for a Remission to be granted to Sir James Johnstone for the slaughter of the late John Lord Maxwell, Lieutenant of the West Marches, committed upon 6th December 1593.]

74. Bond by Edward Irving of Stabiltoun, Jaffray Irving of "the Coiff abowf Dulskellie," George Irving of Woddes, James Irving of Cleucheids, Chirstie Irving of Allerbek, and Willie Irving, called "Wille Dand," binding themselves to serve Sir James Johnstone against all, the King excepted; and specially "to ansuer to him at all tymis when we ar requyrit be him, and to hald him harmeles at the Kingis Majesties hand, and his Hyenes offiseris of Scotland, and alse weill anent Ingland." Dated at Bonshaw, 26 March 1596.

75. Mutual Bond of Assurance between Sir James Johnstone of Dunskellie, knight, and Alexander Johnstone of Gubhill, their kin and friends, on one side, and Thomas Kirkpatrick of Closeburn, and Roger Kirkpatrick in Cluistoune, their kin and friends (excepting John Kirkpatrick in Dressetland, his bairns and followers), that neither party shall hurt or molest the other during the time of this assurance, which shall endure till given up in writing by either party on fifteen days warning. Dated at Closeburn, 23 April 1596. Witnesses, Roger, William, and Mr. Samuel Kirkpatrick, brothers of Thomas, Ninian Crichton in Kirkpatrick and others.

76. Commission by King James the Sixth appointing Sir James Johnstone of Dunskellie to be Warden and Justiciary on the West Marches of Scotland, with full powers. Given under the Great Seal, at Falkland, 28 July 1596.

77. MUTUAL BOND by Sir James Johnstone of that Ilk, knight of Dunskellie, Warden of the West Marches, and James Douglas of Torthorwald, the former in consideration of a disposition to him by James Douglas of the lands of Moskesso, binding himself to maintain Douglas in all his possessions against all except the King, Douglas in return obliging himself to defend Sir James in his lands, &c., to his utmost power. Dated at Lochmaben, 24 August 1596.

78. BOND by Sir James Douglas of Drumlanrig, knight, Robert Dalzell, younger of that ilk, Master Robert Crichton, younger of Carco, sheriff depute of Dumfries, William Crichton of Librie, made at command of the King, assuring Sir James Johnstone of Dunskellie, knight, Edward Irving of Bonshaw, William Irving of Kirkconnell, and ——, his son, Mungo Johnstone of Lockerbie, and William his son, called "the constable," Cristie Carruthers of Dormond, Andrew Johnstone of Lockerbie, Andrew Johnstone, parson of Tunnergarth, Martin Johnstone of Myreheid, Thomas Johnstone of Finglen [Fingland], Symon Johnstone, "Thoms Sym of Finglen," Daud [David] Johnstone of Brigmure, John Johnstone of Cartertoun, John Johnstone of Howgill, John Johnstone of Kirkhill, John Johnstone in Staywood, John Armstrong in Langholm, Cristie Armstrang in Barngleis, Richard Irving in Starkheuch, and each of them, that they, their kin and friends, &c., shall remain unhurt and unmolested until the 1st January 1598 [1599]. Dated at Dumfries, 29 November 1597, under a provision that the opposite party shall subscribe a similar assurance to the subscribers. Signed by all the parties.

79. STATEMENT AND CHALLENGE by Sir James Johnstone of that Ilk against Sir James Douglas of Drumlanrig in reference to the above Assurance, which Douglas alleged Johnstone had violated. In his reply, which bears the superscription "Reid me and lat me stik still," Sir James transcribes the assurance as above, and desires "all gentillmen to reid and consider" the assurance; secondly, the breaches of it, and thirdly the discharges which, he says "I sall try be the law of armis, in respect his Majeste hes refuissit me of ane assuritie to cum and try that matter befoir him self." The breaches of the assurance were:—1. David Bell son of Wat Bell, man and servant of Drumlanrig, came to a house of Christie Carruthers of Dormont and burned it upon the "leithe day" [probably "leet" or election day] "the qubilk he nather will nor dar deney." 2. The Cairlells and Bells came to his [Sir James's] lands of Soupilbank, and tilled and sowed the same, while he was in Edinburgh with the King on the above assurance. These lands had been possessed by Alexander Cairlell, but the Laird had ejected him and declared he or his should never brook lands from him again, becaus of their disobedience to the King and to himself his Majesty's officer. 3. The Bells have at sundry times beaten the servants of the goodman of Bonshaw, taken their ploughs and forcibly tilled their land. 4. Sundry "stouthes" had taken place since the assurance, and some of the Laird's "puir folkis hes coft pairt of thair awin geir bak agane." 5. "Reidclok" and his accompiices seized two of Sir James's servants when riding out, though doing no man injury, and detain and use their horses, which he shall prove.

Whereupon, says Sir James, being so used "I tuik occatioun to wryt to his Majestie . . . declairing the brekis [of the assurance] as is foirsaid heirintill, and lykwayis declairing I wauld nathair think of ane assuirance fra that furthe, nor wauld leine to it, bot desirit his Henes to hauld me excuisit quhatever fell out thairupone in respect as I was useit, and wryt ane letter to the Luftennent quha delyverit the assuirance, to the same effect, quhairof I resavit na ansuer . . . I spak the Luftennent, quhom to I declairit that the assuirance was broking in sundrie poyntis and I said to him, 'Give I gat ony of Drumlangrigis [men] befoir I wane hame at that present I sould do them the vorst,' as I dout nocht bot he will testeffie. This was all done befoir I did ony man trubill, the quhilk I offer to pruiff be the law of armes; in respect quhairof I desyr all gentillmen offer in my name,—That give aithar Drumlangrig, quhome is but ane feibill and unhonnest perjurit creattour, quhome hes movit his Majestie and consell in my absence to publeis my schame by all kynd of resone, quhilk be thir presentis I dout nocht all men will persave I resavit vrang at his Majesty's hands, sieing he hes gevin ane decreit againes me, and wauld nocht give me nathair ane remissioun in respect of the slauchter I had commitit nor licence to cum and gang to try my awin caus, the quhilk I offer yit to try honnest. And albeit it be mair nor resone, lat that beistle creattour, quhome hes movit his Majestie aganis me grant he darr nocht, and in respect it is gane sua far on, I will offer myself to defend my honnestie that I have not broking that assurance, aganis ony he in Scotland, ane man of honnour or honnestie [that] dar accuisse me, albeit he be inferriour to my estait I sall ansour him, being as is foirsaid. And give [if] nathair that beistle creattour, nor na uthir in his name nor assistaris, dar challang me, I will desyr all gentillmen and guidfallowis to esteme my pairt honnest, and to consider, fra I offer this that nathair the king and consellis decreit, nor na uthir thing can be useit aganeis me can hurt my honnestie sua lang as I offer to defend it be the law of armis. And give na man dar accuis me, than I offer to Drumlangrig, that feibill creattour, or to ony of his estait in his name fra he darr nocht, to pruiff him perjurit, defamit and nocht wordde credit, be the words that is set downe herein and that be the sword." This challenge Sir James subscribes, desiring all men to excuse his rude "forme." [Not dated, but probably written not long after 5 May 1598, when the King and Privy Council, at the suit of Douglas of Drumlanrig, declared Sir James Johnstone to be infamous for breaking the assurance of 29th November. See Register of Privy Council, Vol. V., p. 456.]

80. BOND by Sir James Johnstone of Dunskellie, assuring Sir James Douglas of Drumlanrig, his kin, friends, &c. and partakers (except the Bells and Carlyles) that they shall be unhurt and unharmed by him and his until 1st October next. This was done at the command of the King's Lieutenant on the Borders [William Earl of Angus], and signed at Douglas, 4th September 1598.

81. A SIMILAR bond by Sir James Douglas of Drumlanrig in favour of Sir James Johnstone, to endure from the date until the 1st January next. Edinburgh, 18 November 1599. Witnesses, Robert Lord Crichton of Sanquhar, and others. [On the same day Lord Crichton signed a similar bond on behalf of his own kin and friends in favour of Sir James Johnstone, for the same period.]

82. EXTRACT Act of Privy Council, narrating that Sir James Douglas of Drumlanrig and Sir James Johnstone of Dunskellie

appeared personally, and bound themselves to observe the King's peace, and to keep good rule in the country, to redress and satisfy complainers by entering the offenders to justice, to reset no avowed thieves or fugitives nor any stolen goods, under the pain of being answerable for the same. At Holyroodhous, 20 November 1599.

83. THE Testament and Latter Will of Gilbert Johnstone of Glenkill, made upon his deathbed on 15th March 1600, before these witnesses: John Johnstone in Cummertrees, James Johnstone in Garvell, and James Johnstone, notary and writer of the will. First, he leaves his soul to God. His debtors are, first, the Laird of Holmends for his mother's conjunct fee, £200 Scots; secondly, Robert Johnstone in Rountrieknow for £60 Scots, Ninian Johnstone his brother and "Maiss Jok" being witnesses. He owes (1) to John Johnstone of Newbie, burgess of Edinburgh, £16 10*s*. Scots; (2) to his servants, and other small debts, £20; to George Grahame his sister's son £50 Scots, of which £20 are paid, leaving £30 to be paid, which he directs his wife and "bairns" to pay out of the first of his goods, and the rest of the gear he leaves to his said wife and bairns. Item, he leaves his bastard son "to byd still with his wyffe sua lange as they can agrie," and if they can not agree, he directs her to give "the said lad ij quy cowdows." Item, he leaves his wife and bairns to the Laird and Lady of Johnstone, and his "rowme" of Glenkill, that the Laird may maintain them therein. He wishes that the Laird would take Glenkill into his own hands, giving his wife and family a holding elsewhere. Item, he leaves to "Davie of Moillens Jok his awin peise of rowme of Rehill, to the said Jokis self, without cummer," his wife to pay Davie something yearly so long as she stays there, and when she goes out of it he is to use it as he best can. Item, he leaves his horse to the Laird his chief, "and gewe [if] it pleis the Laird to gewe his wyff and bairnis ony thinge for him, he wauld he did it becaus they ar in greit detis and lyttill to pay the same." Concluding with a docquet by the notary.

84. THE Testament and Latter Will of John Johnstone, sometime Commendator of Salsett (Soulseat), given up by his own mouth on 14th April 1600, in presence of Mr. Richard Spens, advocate; Adam Schoir, writer, serjand; John Boyd, burgess of Edinburgh; John Dougall, messenger there; and Alexander Wilkie, notary and writer. *Imprimis*, he nominates and constitutes John Johnstone, student in Edinburgh, his natural son, Simon Johnstone, his brother, and Andrew Johnstone, son of Thomas Johnstone, in the mains of Salset, conjunctly, his only executors, with full powers of intromission with his goods, and particularly the sums of money due to him by Mr. John Johnstone, advocate. And in case of the decease of his son John before he reach majority, the testator leaves all to the said Simon and Andrew equally. Item, he leaves the sum of 100 merks Scots, owing to him by John Robeson, maltman, burgess of Edinburgh, to Janet Cristison, mother of the said John Johnstone, younger. Item, he leaves to John Dowgall, messenger, £20, to be paid by his executors from the first payment of any of the actions against the Earl of Cassillis, [Laird of] Kinhilt, or Alexander Gordon. Signed by the Testator and notary.

85. MINUTE of a Warden Court held by William, Lord Herries, Warden of the West Marches, Sir James Douglas of Drumlanrig, Thomas Kirkpatrick of Closeburn, James Murray, apparent of Cockpool, and John Carruthers of Holmends, decerning "that the Larde of

Apelgerthe and his freindis sall acquyit thameselffis according to the rid [rede] set down be the Larde of Johnstoun and his freindis, for the slauchter of umquhile John Johnstoun in Fingland, or for ony uther Johnstoun that hes bene slane fra the tyme of the Larde of Johnstone's entering into warde, for the same nycht the said slauchter was committit; thir personis except, Sanders Niniane, Geordie of Kinmonts Cristie, Hecters Wille Armestrang of the Gingillis, Robie Grame of Langrigis, Abraham Johnstoun in Brume, and the Coulchumis, in respect the saidis personis ar fugitivis and rebellis to our soverane lord, and the maist pairt of thame under deidlie feid with the Larde of Apilgirthe." As to the claim for unslain Johnstones, the parties are to give and take acquittances " at the sycht of four freindis." A new assurance is to be given between the parties, during which damages may be tried and repaired. Lord Sanquhar and James Johnstone being out of Scotland, their " purgatioun in wryit " shall be sufficient. Dated at Kirkmichael, 1st July 1600.

86. ASSURANCE by Edward Maxwell of Tinwald, and Herbert, Edward, and John Maxwell, his sons, that Sir James Johnstone of Dunskellie, his kin and friends, shall be unhurt and unmolested by the granters until 1st July 1601. Dated at Dumfries, 4th August 1600. Walter Grahame, brother to the Laird of Reidkirk, and others, witnesses.

87. ACT by the King and Privy Council, attributing the " frequent bludis, stouthis, reiffiis, and uther insolencies " committed on the West Marches, to the " want of the preicheing of the word and exercise of the trew religioun within the saidis boundis, swa that na small nowmer of personis for laik of knawlege and instructioun hes rune louse to all kynd of villanie and mischeif," &c. The decay and ruin of the Churches having been a great hindrance to the preaching of the word, and his Majesty, desiring to have preaching and ministration of the sacraments established to promote in some degree peace and quietness, has resolved that the parish churches of Lochmaben, Dryfesdale, Wamfray, Hoddam, Applegirth, Mouswald, Lockerbie, Morton, Ruthwell, Torthorwald, Sillebie, and Middlebie, " salbe re-edefeit and biggit up " by the various parishioners between this and first October next. He has therefore commanded Sir James Johnstone of Dunskellie, warden of the said march, to convene the parishioners of the various churches, to charge them with rebuilding the same, and to urge them to agree to the making up of a stent or tax roll in every parish, so that each person be taxed according to his means, and collectors appointed to receive the money within ten days of the charge. Dated at Dumfries, 19th October 1602.

88. BOND by " Francie Armstrang, *allias* Kynmont," to serve Sir James Johnstone of that Ilk, knight, against all men, the King excepted; while Sir James Johnstone binds himself to maintain Armstrong in all his lawful affairs; this bond to be renewed as often as is necessary. Dated at Lockerbie, 6th February 1603. Walter Scott of Tushilaw, Patrick Porteous of Halkschaw, William Johnstone, son of Mungo of Lockerbie, and others witnesses.

89 NOTARIAL Instrument narrating that Elizabeth Stewart, Lady Newbie, " hes upon hir awin motyve will removit hir selff, hir barnis, guidis and geir, with kestis and insycht, furth of the towir of Neube into the leuche hall quhilk sche allegit [claimed] to be seasit intill, and na geir left in the towir except tua chaple bedds in the heche hall and fyve stand beddis in the heche chambers, without ony furnesing,

togidder with ane counter burd, ane garneell in the leuche seller without ony victuell, and hes promeist to be countable for hir fyve youngest dochters to the Lard Johnnestoun; lykas he hes oblist himselff to be ansuerable to the counsaill bayth for the hous and the barnis: And siclyke [she] hes grantit the Lard Johnnestoun his freyndis and servandis hes intromittit with na geir that appertenit to her umquhile husband and her, except sum fodder and elding." At Newbie, 2 January 1605. Witnesses, James Murray, younger, of Cockpool, Sir David Murray, his brother, John Carruthers, younger, of Holmends, John Johnstone of Graitnay, Robert Johnstone, younger, of Wamphray, and others.

90. WARRANT by the Privy Council, signed by the Chancellor, and Lord Balmerinoch, freeing Sir James Johnstone from his present ward in his lodging house in Edinburgh, and allowing him to go where he pleases. At Edinburgh, March 1605.

91. LETTER of Slains by John Lord Maxwell, freely remitting and forgiving Sir James Johnstone of Dunskellie the slaughter of his father, the late Lord Maxwell, 11th June 1605. [This Letter and account of what led to it, will be found in the printed Register of the Privy Council, Vol. VII.]

92. REMISSION under the Great Seal to Sir James Johnstone of Dunskellie, John Carmichael of Medoflat, and fifty-eight others, chiefly Johnstones, for the burning of the church of Lochmaben, and the slaying of the late John Lord Maxwell, and a special remission to Sir James for breaking out of his ward in the Castle of Edinburgh; to endure for his life time and of his accomplices. Given at Whitehall, 28 September 1605.

93. NOTARIAL Instrument narrating that Andrew Cunningham, procurator for Dame Sara Maxwell, Lady Johnstone, younger, Countess of Wigtoun, and John Earl of Wigtoun, now her spouse, passed to the personal presence of Robert Johnstone of Raecleuch, tutor to James Johnstone now of that Ilk, and there "presentit ane brown hors with ane quhyte ," which belonged to the late Sir James Johnstone of Dunskellie, at the time of his death, and was his best horse, and which now belongs to James Johnstone now of that Ilk, son of the late Sir James, "as his airschip hors." This horse the procurator, in name of the Earl and Countess, now required the said Robert Johnstone, tutor of Johnstone, to receive on behalf of his ward as "airschip hors," to him by his father's death. But the tutor of Johnstone refused to receive the animal. At the Raecleuch, 22 May 1612. Witnesses, Mungo Johnstone of Over Howcleuch, William Johnstone of Nether Howcleuch, — Coupland, "petigog" to James Johnstone of that Ilk, and others.

94. SUMMONS at the instance of Dame Sara Maxwell, Countess of Wigtown [formerly Lady Johnstone] and — Smith, her servant, narrating that, though "the troubles, quhilkis wer of so lang contenowance betuix the names of Johnnestoun and Maxwell, and by the quhilkis the peace and quyetnes of the countrey wes so far disturbit," are now in some measure "happelie satled," while hostility has ceased and peace is kept, "to the grite conforte and repoise of all honest and goode subjectis," yet some persons of the name of Maxwell, "being irkit and weyryed with the present peace and quyetnes of the countrey, and being puft up with a violent and vehement desyre to walkine and renew

the auld troubleis and elistis betuix the twa names," have tried "to raise such ane combustioun and fyre betuix thame as hardlie thairefter wil be satled." These persons are, Robert Maxwell of Dynwiddie and Alexander Maxwell his son in law, who out of the "pryde and malice of thair hartis" against the complainer and her young son [the young Laird of Johnstone] and the whole tenants of the barony of Johnstone, have by themselves and their servants done as follows:—They have during the past six years cut, destroyed, and carried off the growing timber of those parts of the barony called Knokbank and Milbank, and defaced these lands which were plentifully wooded; they have also fished for salmon on both sides of the water of Annan belonging to the said barony, where they have no right to fish, and have threatened and provoked the tenants, hoping to cause bloodshed and "as it wer to gif a new lyff to that auld monstour of deadlie feade." They also caused their herds to draw together "not onlie all thair awne bestiall . . bot sa mony ma of thair nightbouris about thame as they could gett," and drove the animals to a part of the barony well furnished with growing corn, on which they pastured their flock till the corn was eaten and destroyed; also thay "broght tua grite mastice doggis quhilkis are ordinarlie keipt in irne chaynes," to the houses of certain of the complainer's tenants, "quhair they had a nomber of scheip for the tyme and sett the doggis louse in amangis the scheip, quhair they wirreyed and slew threttie or fourtie scheip." Lastly, they, or at least Alexander Maxwell at Robert's instigation, "unbesett the hie way" and attacked the said — Smith, gave him a number of wounds, and left him lying for dead. Wherefore the said parties are summoned to appear before the Privy Council and to answer to the complaint. Letters of Summons dated at Edinburgh, 9 May 1620. [There are many blanks in the document, and it is possible it was never formally completed.]

95. NOTARIAL Instrument narrating the ejection of Robert Johnstone of Raecleuch and his family from the House and lands of Newbie, and the giving of possession to James Johnstone of that Ilk, and Edward Johnstone of Ryhill, as one of his curators. This is a formal document, but narrates that possession was given of the land "be delving with ane graipe of ane part of the grund thairof, becaus na pleuch could enter to teill the samyn in respect of the great frostis, and delivering the samyn graipe be the schaft to the saids James and Edward Johnstounes," who were also entered to the houses "be slekneing furth of the haill fyres within the saidis houssis, and keindlying of new fyres within all the said houssis, and delyverie to thame of the haill keyis thairto." Done on the lands of Newbie, 29 November 1621. Witnesses, Ninian Johnstone of Poldean, John Scott, brother of Robert Soott of Tuschilaw, and others.

96. TESTAMENT of Dame Sara Maxwell, Countess of Wigtown [some time Lady Johnstone]. She appoints her daughters, Dame Elizabeth Johnstone, Lady Elistowne [wife of Sir William Hamilton of Manor Eliston in Ireland], Mistress Sara Fleming, and Mistress Jane Fleming, her only executors. Her bequests are chiefly to her son James Johnstone of that Ilk, of money and heritable rights. To Sara Fleming she leaves 3,000 merks, and 2,000 merks to Jane Fleming. Also to "Dame Elizabeth Johnstowne, Ladie Elistowne, one neck cheinze, with one belt of gold smyth work conteining the wecht of ten unce or more with one peair of braicelettis, with two cheinzeis, and two lockis all of gold." To Mistress Sara Fleming "one pair of braiclettis, thrie lockis and three cheinzeis, amongis thame conteinyng four unce wecht of gold with

one pearleit cheinzie of gold and muisc beidis." To Mistress Jane Fleming "one pair of braiclettis of gold of cheinze fashione, with one cheinze of quhyte pearle." Dated and signed at Lochwood, 22 April 1628.

97. PATENT by King Charles the First, creating James Johnstone of that Ilk, Lord Johnstone of Lochwood, in consideration of the services which he himself and his father and grandfather and their predecessors rendered to the King's father and grandmother and other ancestors, both in Scotland and England, especially in divers commissions on the borders between the kingdoms and by assistance in the repression of rebels and outlaws in that part of Scotland; the said title, honour, and dignity to be held to James Johnstone and his heirs male, of the King and his successors, with all the privileges of a Lord of Parliament. Given under the Great Seal at Holyroodhouse, 20 June 1633. [On 18th March 1643, King Charles created James Lord Johnstone, Earl of Hartfell, to him and his heirs male; and on 13 February 1661, James second Earl of Hartfell received from King Charles the Second a Patent creating him Earl of Annandale and Hartfell, &c., to his heirs male, whom failing, to his eldest heir female without division.]

98. TESTAMENT and Latter Will of Lady Margaret Hamilton, formerly widow of David Lord Carnegie, now third wife of James, first Earl of Hartfell. She commends herself to God, and desires her body to be buried "among the faithfull in the most modest way, and in the neirest convenient place." She appoints her husband her sole executor, and leaves the following legacies:—"To wit, to my eldest dochter, Margaret Countes of Carnwathe, a grit jewell maid up in a pair of braicelets and a littill jewell, estimat to tua thousand and fyve hundreth merkis usuall money of Scotland. Item, to my said dochter, for the use of hir eldest sone and failyieing of him be deceis," to that son succeeding to the Earldom of Carnwath, and failing him to her eldest daughter, to be delivered when the legatee came of age, "a compleit furneist bed of blak velvet, embroderit with sewit flouris of silk courteines, pairis covering, tabill clothe, a long chyre, two uther airmet chyris, thrie coverit stooles, a bed lyned with taffitie and fals coveris, with taffitie for all the saidis chyris and stoollis, also a carpet of fyn arrass four ellis of lenth or thairby, with muche silk in it, all estimat to thrie thousand merkis, or thairby. Item, to the secund sone of the said Margaret Countes of Carnwath, my dochter, a silver baissein, a silver ewer, tua silver saltis, a dussan of silver spoones, a silver sugar box, thrie silver dishes, all about the value of ane thousand merkis," these being reserved to her own disposal by a contract with her husband dated at Edinburgh 30th January 1617. "Item, I assigne leiff and dispone to Dame — Carnegie, Ladie Kilbirnie, my secund dochter, a ring with sax diamondis, estimat to . Item, to hir dochter, Margaret Crawford, a pair of gold braceletts, a gold chenzie and threttie sex pieces of gold, all weichting a pund wecht or thairby, estimat to ane thousand merkis or thairby. Item, to the said Margaret Countes of Carnwath hir dochteris equallie among them my haill abulziements, cabinets, trunks and saidillis with thair pertinents and furnitour." She assigns to her husband her whole rents in her tenants' hands at her decease, also "ane gold ring sett with a diamond of on ston thairin," with the rest of her furniture and goods. He is to pay the above legacies and also her debts. Dated at Edinburgh, 4th July 1648.

99. ORDER by the Committee of Privy Council met in the West, requiring the Stewart Principal of the stewartry of Annandale to

convene the whole heritors within the stewartry to subscribe a bond, a copy of which the committee enclose. Ayr, 11 March 1678. [By the bond, the subscribers bind themselves that they, nor their families, nor tenants or cottars, nor their families shall attend conventicles; and farther that they shall not resett or supply intercommuned ministers or vagrant preachers, under various pains and penalties.]

100. COMMISSION by King James Seventh, appointing William, Earl of Annandale, to be captain of that troop of horse lately commanded by the Earl of Airlie, in the regiment of horse of which Major General John Graham of Claverhouse is Colonel. Given at Whitehall, 18 October 1688.

101. PATENT by King William the Third, because of the services rendered by William, Earl of Annandale, in the several eminent trusts wherein he has been employed by his Majesty, creating the said Earl of Annandale, Marquis of Annandale, Earl of Hartfell, &c.; to him and to his heirs male whatsoever succeeding to him in his lands and estate. Dated at Kensington, 24th June 1701.

DIVISION II.—CORRESPONDENCE.

Section I.—Royal Letters, 1536–1712.

102. LETTER under the signet by King James the Fifth, directing the steward of Annandale to restore John Johnstone to the possession of the lands of Thorniflat which "he hes in maling of the communitie of Lochmabane," and from which he had been violently evicted by Robert Johnstone, Thomas Bektoun, and others, between terms and without due warning. He is therefore to be reinstated until next Whitsunday, or until he be legally put forth, and the steward is to hear the defence of both parties, and do them justice. Edinburgh, 12 July [1536].

103. LETTER by King James the Fifth to John Maitland of Auchingassel. The king understands that John Johnstone of that Ilk holds from Maitland "in maling" the lands of Branrig and Michelslakkis in the sheriffdom of Dumfries, has possessed the same and paid his rent duly, but that now Maitland has warned him "to flit thairfra at this last Witsonday and tendis to put him fra the samyn without any falt," he being now in ward in the Castle of Dumbarton. For that cause, the king writes, "We mon defend him in his richtis and possessionis sa lang as he remains in oure said ward, and to that effect we wrait to you richt effectuuslie to suffer the said Johne brouk his said maling peceabillie sa lang as he pais his malis and dewiteis thairof thankfullie to you, and makis no falt, and specialie during the tyme of his remaning in our ward; quhilk (as we ar informit) ye have disobeyit, quhairof we mervell gretlie, considering it wes nevir nor yit is the use and custome of our realme to put ony auld tenent furth of his maling sa lang as he pais his malis," &c. The king, therefore desires that Johnstone may be allowed to retain the lands "conforme to the said auld lovabill use and consuetude of our realme, observit and kepit in sic caissis in tymes bigane, and specialie sa lang as he remanis in oure said ward, and the erare for our saik and request, and do us singular emplesour, and will we do for you or ony of your freindis in

ane far gretar mater and will have your erandis sped at our handis quhen ye require us thairwith." An answer in writing is requested Edinburgh, 28 June 1542.

104. LETTERS by King James the Fifth, stating that through the absence of Robert Lord Maxwell, and "infirmite" of Robert Maxwell, his son, the West Borders of the kingdom are "destitut of ane wardane and gydar," and therefore directing his sheriffs to charge John Johnstone of that Ilk, his kin and friends, to concur with and assist Robert, Master of Maxwell, in upholding the office of the warden and defence of the realme; and during Robert Maxwell's "infirmite," the lieges in the West Borders are to obey and assist John Johnstone of that Ilk in defence of the kingdom, and upholding authority, under pain of death and confiscation. Edinburgh, 28 November 1542. (Signed) "James Rex."

105. LETTER by James Earl of Arran, Governor of Scotland, to the Laird of Johnstone, in reference to Mr. James Levingstoun, parson of Culter, who is "lauchfullie providit to the parsonage of Moffett, and for quhat cause we knaw nocht, and but ony rycht or title he is molestit and trublit be ane callit Maister Johnne Stewart in the peceable brouking and josing thairof, tending to do that is in him to putt him thairfra be way of deid, howbeit, as we understand, ye [Johnstone] will not suffer be done, but that the party havand rycht be ansuerit": therefore exhorting and praying Johnstone to uphold Levingstoun in his possession of the said parsonage and rents thereof. At Stirling, 2nd January 1543 [1544].

106. LETTERS by Mary Queen of Scots, narrating that John Johnstone of that Ilk, who is and has been tenant of the Crown lands of Recleuch since the death of King James the Fifth, and paid his "maillis," was put to the horn in terms of a pretended decree obtained against him by John Douglas, while he and David Johnstone, his natural son, were afterwards commanded to remain in ward, and are presently in ward: But the Queen "haifing presentlie ado" upon the West Borders, and having "chargit the said Johnne Johnestoun with service in thai partis quhilk he can nor may nocht gudelie performe," nor communicate with the lieges, unless he be released from the horning, directs her messengers to pass to the market crosses of Edinburgh and Dumfries, and by open proclamation "relax him fra oure said proces of horne . . . ressaif him to our peax and gif him the wand thairof" and also to relieve him and his son David out of ward. At Edinburgh, 17 July 1565. "Marie R." [The release was effected the same day, as recorded by the messengers' indorsation on the letters.]

107. LETTERS OF GIFT by Henry and Mary, King and Queen of Scots, granting to John Johnstone of that Ilk, for "the gude, trew and thankfull service done and to be done" by him, their third of the Abbey of Saulsett [Soulseat] and parsonage of Lochmaben, to be uplifted by him to his own use, for the crops of the years 1564 to 1568, and further according to the granters' will. At Edinburgh, 16 August 1565. (Signed) "Marie R. Henry R."

108. REMISSION to John Johnstone of that Ilk for intercommuning with and being in company with Archibald [eighth] Earl of Angus, and so contravening the proclamation thereanent: But in respect "the knawledge of the publication thairof come nocht to the said Johnnes

eiris" and for other causes, the king remits the offence and takes Johnstone under his protection. At Dalkeith, 13 June 1581. (Signed) "James R."

109. LETTER by King James the Sixth and the Privy Council commanding John Johnstone of that Ilk, as Warden of the West Marches, to retain in his own hands "the hous, manis and landis of Torthorwald, quhilkis we meane alwayes sall remane in your handes for the better safetie of the countrie in cais of ony incursionis be innemys or thevis," and forbidding him to deliver the house to any person whomsoever, until further directions. At Stirling, 31 October 1583. Signed "James R." Also signed by some of the Council.

110. COMMISSION by King James the Sixth, giving full power to John Johnstone of Greenhill "to levy and tak up one hundreth wageit men of weare for the advancement of oure authoritie and service, ower quhome we mak and constitute the said Johnne capitane and commander, with power to him to caus stryke a drum in quhatsumevir part of our realme to this effect, and to elect and cheis all officiaris and memberis to the said cumpany neidfull, for quhome he salbe haldin to answer": requiring also the lieges to concur with the said John in the execution of his commission. At Holyroodhouse, 15 May 1585. Signed by the king and two others.

111. LETTERS by King James the Sixth, requiring James Johnstone of that Ilk to retain in his own hands and custody the castle and fortalice of Lochmaben for the king's behoof, and not to remove himself or his servants therefrom, without express commands from the king's "awin mouth," all other charges to the contrary notwithstanding. At Burlie, 22 October 1588. Signed "James R."

112. WARRANT by King James the Sixth to the Captain, Constable and keepers of the Castle of Edinburgh, to allow Sir James Johnstone of Dunskellie, knight, now in ward in said castle, "to pas hame to mak some guid meanes for inbringing and entrie of certane personis plegeis quhairwith he is burdynnit," and to receive him into ward again on his return, to remain until released by the king. At Hamilton, 24 August 1597. Signed "James R."

113. CONTEMPORARY copy of Warrant by King James the Sixth. For repression of "certein lewd people" who have committed "foule disorders" on the confines between England and Scotland, the king has appointed fifty horsemen of the garrison of Berwick and fifty others newly levied by the Laird of Johnstone to keep order on the West Marches, and these, in terms of a report from the Commissioners at Carlisle "by reason of the late spoylinge of the countrey, are not able to continewe in service without an augmentation of wagis"; the king therefore gives order to pay to the Laird of Johnstone for his fifty, and to the fifty from Berwick, "an encrease of pay of viij^{d} sterlinge by the daie above the ordenarye viij^{d} accustomed to be allowed unto thame, so as the paye of eiche horse [man] maye be for the tyme of this service xvj^{d} sterlinge," to begin on 10th April and last during the king's pleasure. And if the person addressed has not so much money, above what is required for the ordinary expenses at Berwick and on the Borders, he is to "laye out" of his own or to borrow money to meet the charge from time to time. At the Castle of Newark, 22 April 1603.

114. CONTEMPORARY copy of Letter by King James the Sixth to the Chancellor of Scotland and Lords of Session, referring to the "great prejudice which the Laird of Johnestoun may now in his younger yearis (possiblie) sustyne by the procurement of such as, seiking his ouerthraw and the ruine of his house, doe intend to take all advantages against him; who (having bene in his verie enfancie, by his father's untymlie and treasonable murthour, enwraped in a multitud of such intricat affaires as his continuall troubles having once confused, did never permitt him in his owne tyme to outred) is as yett of such age as can not but deny him that sufficiency required for the better managing thereof; wherein his freindis help must be als littill expected, as it is otherwayes promissed, by resoun of those of his fathers side their unworthiness dishabling them altogidder to assist or mentyne him in his good right, and of the mothers syde their unkyndnes, the continuing effect of their soe long continued deadlie feidis, and shee being latlie maried to a stranger not hable (how willing soevir) to mentyne him from wrong." The king therefore desires to extend to the young Laird such portion of gracious favour as he has "evir extendit to all minors whose estait is by all lawis both devin and humane most favorable," and requires the Lords to take such steps as, according to the precedent of Earl Moray's affairs, may best preserve the minor in his nonage from civil pursuits against him. Dated at Royston, 21 October 1611. [A similar but briefer letter on the same day recommended [the Chancellor] to have a special care of Johnstone's "much to be pittied estait." These letters are the most important of a series on the same subject. The first, dated 14 November 1608, from Whitehall, simply stated the fact of the murder of Sir James Johnstone of Dunskellie, and desired the Lords in view of the "greit uncertaintye" of his affairs, to supersede all actions against the widow and orphan for a time, while the second, dated 1st April 1610, warns Robert Johnstone of Raecleuch, tutor of Johnstone, that his dealings with the estate will be supervised by the Earl of Dunbar. The others are given above.]

115. LETTER by King Charles the First to James Lord Johnstone, desiring him to see that Mr. George Buchanan, minister at Moffat, who "was put from his place and charge by the proceedings of the late pretended assemblie at Glasgow" is maintained in his place, and no other minister planted at that church. Berwick, 2 July 1639. [Another letter, dated 13 July 1639, forbids the Presbytery of Lochmaben and Middlebie to proceed further against Mr. George Buchanan, or to admit any other to his church, as they intend to do; "whereat" the king writes "wee cannot but mervaile, in respect weeh ave concluded to hold a generall assemblie the next month, where all persons of your calling against whom any cryme can be objected, are to be censured."]

116. A CERTIFIED copy of the conditions of pardon offered by Queen Mary [wife of King William the Third] to William Earl of Annandale. C. 1690. Marie R. We doe allou Sir William Lockhart, our solicitor, nou resident with us for Scots, to speak with William Earle of Annandall, and on our royall word to promis him a remission under the king's hand in the most ample form for all tresons and other cryms committed against ws, our persons and government; the said earle allwayse performing the conditions after mentioned upon which considerations only he is to be pardoned. 1. That William Earle of Annandall shall mak a full and free discoverie of all plots, tresons, contryvances, which eather he was actualie concerned in, or cam anay other maner of way to his

knouledge, against the persons of the king and queen or the goverment. 2. That the said Earle of Annandall shall give the information desyred in wryting, specifying persons as well as things, of whatsomever degree or qualitie, who have in anay maner been accessorie to or guiltie of the above-mentioned cryms. 3. That William, Earle of Annandall, shall surrender himselfe to Sir William Lockhart, and shall not converse by word or wryting, nor receive from anay person anay messadge in relation to the transactions he hath been in, or cryms he hath been guilty of, or had knouledge of against the goverment, but what he shall of his own accord mak knoun to the queen, and is thus to continou during her Majesty's plesur. And we doe declar and give our royall word that William Earle of Annandall shall never be used as evidance or witnes against anay person mentioned in the information we are to receave from him. (Initialed) M. R., while the copy is certified by the signature of Sir William Lockhart.

117. INSTRUCTIONS by King William the Third to William Earl of Annandale, appointed High Commissioner to the General Assembly of the Church of Scotland. These are for the most part formal and may be summarised. (1.) He is to assure the Assembly of the king's maintenance of Presbyterian Government in that church. (2.) Nothing is to be done against the royal prerogative; or (3) treated of that is unfit for an ecclesiastical meeting. (4.) The planting of vacant churches is to be encouraged. (5.) You are to take care to prevent as much as possibly you can the turning out of their churches such of the Episcopal ministry as are qualified conform to the Act of Parliament. (6.) You are to encourage any inclinations you find in the Assembly to assume to their government such of the ministers who preached under bishops and are qualied by law, whom they shall find to be pious and moderat men. (7.) Commissions are to be appointed for receiving such, planting churches, &c. (8, 9, & 10) are unimportant. At Kensington, 7 February 1701. Superscribed and initialled by the King.

118. LETTER from the Earl of Annandale to King William the Third, acknowledging his Majesty's gracious favour in appointing him Commissioner. He adds: "Endeavors are used to push the members off this Assemblie to assert the intrinsick power off the Church and that they should breake upon thiss. Itt comes the same way the opposition in parliament came. The members of the presbytrie of Hamilton and their associatts are those who presse itt; butt I hope I may saiflie give your Majestie assurance that as they are engaged by there letter to wave all unseasonable questions, soe thiss will not obtain at thiss tyme, and in all there proceedings there shall appeare a dutifull and affectionatt regaird for your Majesties royall authoritie and government," &c. Also expressing his fidelity. [This is the original draft of the letter and is not signed or dated, but must have been written in February 1701.]

William Earl (then Marquis) of Annandale was also appointed High Commissioner by Queen Anne, whose instructions to him are still in the Annandale Charter Chest, but they are almost exactly the same as those given above, the only additions referring to the "intrinsick power of the Church," which, though stated in the books of synods and presbyteries, was not to be allowed to be declared publicly in the Assembly. These instructions are dated 9th March 1705 and 20th April 1711.

119. LETTER, Sophia Electress of Hanover to William Marquis of Annandale, a friendly little epistle. "Gheur [Göhre], le 19 de Novembre 1712. My Lord, J'ay apris auec bien du plesir, que vous

auez este si satisfait de la cour de Berlin et de celle de Wolfenbudel [Wolfenbuttel]. Je ne m'en scaurois tout a fait attribuer le merite puis que vous auez veu partout des personnes de disernement, qui ont veu ce que vous vales, et que je leur ay dit la verite. J'ay creu devoir vous randre ce petit service pour affection, que vous dites auoir pour moy et pour ma maison, n'aient point d'autres a vous faire voir que je suis, my lord, vostre tres affectionee a vous randre service. SOPHIE ELECTRICE."

"A Monsieur le Marquis d'Annondall, a Viene."

Section II.—State and Official Letters, 1573–1696.

120. LETTER, John [eighth] Lord Maxwell, Warden of the West Marches, to the Laird of Johnstone [no date 1573–1578]. "Schir, I ressauit your letter sayand ye are informit I hafe tane ane servand of youris. I hafe ressaint ane buik of the rebellis and fugytivis fra my lord regent grace, quhairof I hafe tane sex, bot I understand nane of thaim to be your servand. And geif ye had expressit the name of him ye allege to be your servand, I sould hafe send yow resonable ansuer thairof. And thus fair ye weill. Of Drumfres this Thurisday. (Signed) JHONE L. MAXWELL."

121. JAMES, FOURTH EARL of MORTON [some time Regent], to MARGARET SCOTT, wife of John Johnstone of that Ilk, who had written him about his reply to the offers by the Laird of Fairniehirst. He writes that when her letter came he was at Holyrood with the king and the offers were at Dalkeith. "Sa far as I can call to remembrance, thair wes sum of the offers quhilk I did lyke bot utheris that I mislykit, because they twitchit my servandis in sum landis quhilkis they have, that wer the Lard of Grangeis. Mary, the principall mater stude upoun my Lord of Angus consent and guidwill, quhilk I knaw not as yit gif the same be obtenit or not." The Earl, however, thinks the matter will sooner "be put to a poynt be commoning nor be writing," and before Lady Johnstone or her husband can come he hopes to peruse the offers and to give her "ane resolute ansuer." Dated at Holyroodhouse, 13 January 1579–80. Signed "Mortoun."

122. JOHN LORD HAMILTON (afterwards first Marquis), Lieutenant on the Borders, to JAMES JOHNSTONE of that Ilk, beginning "Albeit ye have in tymes bipast wsit yourselff to me and myne not according to your dewatie and ressoun," yet in obedience to the service and directions of the king [then in Denmark], he intimates that Justice courts were to be held at Drumfries and Jedburgh in January next. "Bot becaus we wald be laith that ether the cuntrie in generall, or ony uther particulair man in speciall, sould find thame trublit or grevit, quhair thair is not just occasioun," the writer desires the Laird to meet him at Peebles on 30th November instant to give his advice as to the keeping of peace and repression of offenders. Also the Laird is desired to cause two of "the principallis of ilk branche" of his servants and dependants, that have been accustomed to act as sureties, to attend at the same place and time, that the Lieutenant "may understand the names of the plegeis presentlie lyand quhair thay remane, for quhome thay ly and quha sall interchange thame, namelie, for Jok of Kirkhill and Jok of the Howgill and thair gang; Thome of Finglen and Niniane of Finglen; Martin of Myreheid and David of Mylbank; Edward of the Quais and Gibbe of Fairholme, and Andro of Tunergarth; David sone to Wille of Brumell and young James Jok; The reid Lairdis sone and Martine of Kilriggis; The Laird of Newby; Edward Irving of Boneschaw; The Laird of

Esscheschellis; Andro Johnnestoun of Locarby, Mungo Johnnestoun of Locarby [and] Pait Moffat of Cammok." Edinburgh, 19 November 1589. Signed "J. Hamilton." [It is to be understood that the foregoing persons, except two, were Johnstones.]

123. William [tenth] Earl of Angus to Sir James Johnstone of Dunskellie. "Rycht trest friend, I resaifit your letter declairing that sume of the Couchwmes, utherwayes callit Johnstons, and their cumpleiches to the number of sevine, hes cume leitlie to Middilgill and their hes raisit fyir and hes slaine young Mongo [Johnstone] of Lokarbie." But as the Earl is to go to the king he requests Johnstone "to use no rigour nor hostilitie ether in burning or slaing unto the tyme his Majestie and consall tek tryell in that mater," and after the Earl's return he will do what is expedient to punish the wrong done to Sir James and his friends. "In suspending your wreithe and leiffin off all violent reveng I dout nocht bot it salbe ane beginning of ane gretter quyett boyth to your freindis and self, and it will move his Majestie to be the mor favourable unto yow." The Earl then suggests that "Middilgill" should complain to him at Dalkeith. He asks the Laird for a list of foot thieves promised, who daily commit depredations. In a postscript he promises to put the "Cuchenis" to the horn or proclaim them outlaws. Douglas, 12 September [c 1592]. Signed "V. D. Erll Angus."

124. John Spottiswood, Archbishop of St. Andrews, to Sir Gideon Murray of Elibank, Treasurer Depute, asking, *inter alia*, a "favour to ane of our St. Andrews men qho wes referrit to your lordship for beir bringing from Ingland. Thei cal him Alexander Law. His factor wes doun a yeiris since and, as he tellis me, much of that he broght wes dealt at the portis of Edinburgh, and wil acte himself never to doe the lyk under qhat panis your lordship sal pleise; for qhom the captain and I wil becom sourities to your lordship. He is ane very honest man and hes mony children, qhiche movis me to intreat for him," &c. Signed "Sanctandrews." Dated at Leith, 27 November 1618.

125. Sir Robert Kerr (afterwards first Earl of Ancram) to James Johnstone of that Ilk.

"Sir, you are not deceived in your expectation of my kyndnes so far as I can availe yow, butt I am a weake prop to leane to, therefore, yow must not deceive your selff that way thogh I shall not faile to do all I can for any thing that concerns yow agaynst all cummers. For your government of the Borders, I have estranged my selff from it long agoe, but now that you bid me, I will watch to see what furder I cane do yow, iff these projects cum to pass which are yet but chalked not clipt." After referring to the presence at Court of Johnstone's father-in-law and others, he comments on "Gawen of Reidhall" apparently one of Johnstone's dependents who was "sommerly handled." "But I have heard from those I trust very well it was his owne fault, that was so confident that he could not be fyld, when Mr. Lewis Steward came to plead for him, that he would take no warning to be gone out of the way. God Almyghty hath a hand in all those things and yow must not sett your harte nor your reputation at stake for that kynde of men, for I know them wele aneugh. Theye will not keip upp their hands, therfore lett them beare their owne burden, and looke to your more concerning busines, or ells for their sakes you will offend the kyng and make yourselff a pray to your ennemyes. There shall none of yours fall to the ground that I may saiffe, for I am a frend to all your frends; butt the government of the world is altered and wyse men must take another

course. You ar young aneugh, and thogh many of meane degree have gott the start of yow, yett with pacience and industry yow may cum well aneughe to your ends, &c. Signed S. Ro. KARR. Whitehall, 26 October 1629. In a postscript he refers to Johnstone's father-in-law and says: "iff he be kinde to yow be yow kinde to him, and break not easily such bonds as you are tyed in, that will make a warre at your owne fyirsyde, for your children are also his. Pick quarrels to no body much less to your friends, and be not jealous of them without seen cause; rather be deceived."

126. WILLIAM [seventh] EARL OF MORTON to JAMES JOHNSTONE of that Ilk. "Right Honorable—I am commandit to wait upon the Kings Majestie [Charles the First] at his first entrie to Scotland, whar it is necessar that I be accumpanied with a number of my noblest and best freinds. In this consideration I am bold to intrait you do me the honor to meit me upon the hill before Atoun neir to the bound rod upon Wednisday, the tualt of June, at aught a clok in the morning, accompanied with a dussan or sixtein of your freinds or servandis in guid equippage," &c. Signed "Morton." Dalkeith, 23 May [1633]. In a postscript he writes: "I intrait you caus som of your servants provyd som wyld foull for me, and what can be had, lat it be in Dalkeith upon Thuirsday the threttein of June, for the king is to be thar the day following."

127. ROBERT [KERR], first EARL OF ANCRAM, to JAMES LORD JOHNSTONE. From Court. 13 October 1633. Referring to a letter from Lord Johnstone, apparently soliciting his influence in procuring a step in the peerage, he says: "As for the matter, iff it were in my power you should not stay till yow were at the topp off honour, butt our maister is not of that humeur to do things so, butt must have tyme to be solicited and considder of matters, before he do them; and it must be some new occasion and service donne by yourselff, wherto God may send the oportunity, that can moove his Majestie so soon after the first to make addition, wherin as God may send a ground for you, you will industriously take it, and your frends may be also watching by all the means they can to promoove it to your satisfaction. In the meane tyme have a litle pacience and thank God it is as it is." Johnstone's other request, about the command in the Borders, is hindered by the great officers who do not desire that any man should have any such particular charge. "Butt iff complaynts cum thick to the king from the late Borders, I shall not faile to watch for yow, as yow have given me liberty by your lettre, which is lickly to be acceptable, iff it must be, to give itt to such as will serve for nothing but for honour and credit, rather then those who must be payd for it and do worse," &c. Signed "Ancrame."

128. LETTER from Lord William Howard of Naworth ("Belted Will") to James Lord Johnstone. Naworth, December 9th, 1636. Formally intimating that the English Commissioners think it necessary to hold a gaol delivery at Carlisle on 12th January next, that Lord Johnstone may personally or otherwise prosecute any offenders there.

129. SIR ROBERT GRIERSON OF LAG to JAMES LORD JOHNSTONE. Lag, 22 January 1639. He had just received his lordship's summons to be at the Kirk of Mouswald to hear the answer of his lordship's commission, and requiring him to advertise Drumlanrig and other well affected gentlemen. But, he writes, "the adverteisment being so schort and the waters so greit, I cowld get naine adverteisit cowld keep that dyet, for these gentillmen quho ar best effectit in owr schyr (I mein

theis off Glencairne, Tinrowne and Penpount) live sum aucht or ten millis aboiffe me, so they cowld not be adverteisit to bie thair. As also we haiff ane meiting amongst ourselffis at the kirk off Glencairne upon Thursday bie nyne off clok to sie how we can moiff the cuntrie men to by armis, quho are all as yit unprovydit and most unwilling to provyd them selffis." He, therefore, desires Lord Johnstone to send his answer in writing, or by one who would report it rightly, "it wald moiff the peopill most; for I did acquent them that your lordship and Jamis Crichtoune wald bring them the nobillmens ansuer in everi point, quhilk they expectid to heir thair selfis at your hom cuming." He would have answered Lord Johnstones summons in person, but must attend the other meeting and he begs to be excused. Signed "Lagg."

130. Contemporary Copy circular letter from the Committee of Estates to [the Committee of War for Dumfries-shire]. Falkirk, 15 September 1648. The Committee "having found it necessarie, for preventing the greit evillis which threatne religoun, king and kingdome, through the persuance of that lait unhappie ingagement in England by the remander of the armie now returned and in armes in this kingdome, that forces be raised throughout the whole shyres to quenche the intestine combustion and preserve the union of both kingdomes according to the covenant," require 400 horse to be raised, with 360 footmen, to be at the army rendezvous on Saturday, 23 September instant, "the horsemen to be weill mounted and provydit with sufficient suordis and pistollis or lances, and the footemen to be armed with good suordis and tua pairt musquettis and thrid pairt pyks." To aid this levy the Lairds of Craigdarroch, Caitloch, Wamffra, Arkilltoun, and Grantoun, with Major Makburnie, are authorised to make the levy with power of quartering and distraining the goods of defaulters, for 400 merks for every horse, and £100 for every footman wanting of the number required. "But," the Estates write, "we doe expect that in such ane exigencie you will give reall testimonie of your affectioun to the caus and heartie endeavouris for the peice of the kingdome. The forces of the parliament of England are come to the Bordouris, and now when these of the armie who entered in that lait ingadgement and thair adherents are so active and diligent to disturbe the peice of this kingdome, and to infringe the union betuixt thir kingdomes, we ought to apply our cair and utmost power to improve all opportunities to the best advantage to witnes our desyre to suppres intestine insurrectioun and preserve our union with England." Those who fail in regard to this levy will be considered and proceeded against "as deserters of the caus and publict enemeis to the peace and weillfair of this church and kingdome," &c.

131. William Murray of Broughton to James [Johnstone] Earl of Hartfell. Broghtoun, 12th January 1653. As "the madness of some foulishe bare younge men ar in all lyklie houd" to draw "inevitable ruine" upon the shire, he sends his friend, James Law, to explain and to establish his own innocence of certain events. "Yesternight fourteen Englishe men on foot came to John Lawthers in Brochtoun, where they had no sooner taken up lodging then James Murray and another, whom I knew not, comeing after them to the same house thee Englishe retyred themselves to a litle stone house all night, to whom yesternight about eight of the clocke I directed my servant, Enoch, desiring him to aske them wherein they thought I could be usefull unto them, and if they pleased, that I would gather together some countrey people, with such clubbes and staves as they could gett, to wayte upon them wherewith they seemed to bee very well satisfyed. But this

morning by day light they sett foreward on their journey, when immediatly were discovered these two skouting out on a hill head; and within a half of an houre there appeared five more, who instantly galloped altogether after the poore men; but doe my men what they could to disswade them, showeing the danger the[y] would bring there freinds in, there was noe stayeing of them. While I am a writting this relation to yow, one is presently come to mee who showes mee that they spoake with them and suffered them to passe on quyetly because (as they said) they had lodged in my boundis; but I think the treuth is, onely because they found they were but an inconsiderable preye." He asks Lord Hartfell to do what will be most for his (the writer's) good. Signed "Wm. Murray." In a postscript he says he is now truly informed "that these foolish men hes hurt one of those poor men, and fearing least it may prove dangerous" he desires the Earl to act speedily so that he (Murray) "may lie in no hazard from it."

132. LETTER. Captain John Grimsditch (or Grymesdyck) to the Committee [of War] of the County of Nithsdale. Dumfries, 15 November 1654. He desires them, through "the corronett," to order "a convenient locality, at a reasonable distance, not exceeding 12 miles from the garrison for foure score horse"; while for his company of foot now in town, he requests they will hasten their "warrants for convenient localityes for fyir and candle." Signed "J. Grymesdyck." [There are one or two other letters of the Commonwealth period, including a vindication sent by James second earl of Hartfell, to General George Monck, denying certain allegations of correspondence with Lord Selkirk then in rebellion, of date 15 November 1654, but none of them are of special importance.]

133. LETTER from an unknown writer and without address, dated from London, 27 February 1682-3.

The writer has "an eminent matter to wryt" as follows:—"One Albert Sheldon (for so tis said he calls himself), notorious enowgh here, haveing latly come from France to flye (as he pretended) the persecutione of the Protestants there, and having stayed some time here under that notione and received the ordinary part of the contrabutions in the French Church as such, on Saturday last came to his Grace the Duke of Ormond and made his discovery to this purpose.—That he was a Frenchman by birth but by blood an Englishman, his parents both being of that nation." He was about the French Court for a time, in the service of Monsr. Colbert, and then in that of Monsr. Louvoy, who, "finding him of an accut witt and pregnant braine," one day "told him that he was resolved to send him for England, and that under clock of religion too, for he most feigne himself a protestant (notwithstanding his educatione was popish), and under that pretence work his designes in England, &c." Having said he spoke English well, he was sworn to secresy, promised a reward, and had an interview with the king at Versailles, where he received instructions. Under pretence of persecution he was to "insinuat himself into the company and secrets both of cowrt and cowntrie, takeing to his assistance another distrest protestant named Jaen d Luz, a notorius Jesuit, with whose help he should not faill once a week to give an account of all quhat passed. That whill the one wer att cowrt, the other should be in the cowntrie, surveyeing the places of strength; takeing notice of the power of the garisones and quhat places were fittest for his Majesties behove in makeing an invasione; and that likewise he had sent two of the only mathamaticiens in France to survey the cowntrie of Ireland, where he wold make his first attempt, haveing

ther the hearts and promises of the peopell to assist him and stand by him for the re-establishing of religion. That then, his Majestie had in all his ports readie sufficient shiping for such a designe, who wer given outt for the warrs against Algeirs and who wold bee ready upon his notice given to work their intended designe." For this he was to be made an Irish Earl or a French Count, with a suitable estate. He was then sent with money to England, where shortly afterwards seven others were sent "who wer in the kingdome of Ireland whill he remaned about cowrt to give informatione to both hands of quhat passed." He had now been there several weeks, and he produced letters under Colbert and Louvoy's hands, and declared "that now the French king was ready to put to sea, and if not preveuted it would work the utter ruin of Ireland, the natives and the French king haveing agreed to expell the English and Scots out of that kingdome, quhich they resolved to do by the midle of Aprill." The writer adds this is only a part of what is divulged, but that the king and council treated the matter slightly, though they gave orders to reinforce the garrisons in Ireland. People in London "are in great consternatione seeing eminent ruine aprocheing and no measures taken to prevent it," &c.

134. Letter by William [second] Earl of Annandale to Lord Chancellor. Dumfries, 29 June 1688. The Earl intimates that the justices of peace, freeholders, and heritors of the shire of Dumfries and stewartrie of Annandale had that day "conveined with a cheirfull readines to contribute evin ther outmost endeavores in his Majesties service floweing from the clear convictiones of these happy inflowences they owe to his Majesties most benigne reign." They had called to sit with them Mr. George Campbell, Mr. Francis Irving, and Mr. William Macmillan, indulged preachers, who, however, excused themselves by a petition enclosed. The meeting then formed itself into a committee of twenty, five for each of the four presbyteries, Dumfries, Penpunt, Lochmaben, and Middlebie; and after conference "they all unanimously declaired that they knew not of any persone within the said shyre or stewertrie or elswher, that was present at that late rebellious assassinatione within the shyre of Air, soe far are they from having resett any of them." Further, they knew of no others who had reset these or any other rebels, nor assisted them, nor did they know of any field conventicles held in the bounds, or any who attended them, "and for the humor and temper of the people they judged them to ther opinion peacible and the peace of the countrey secure." In this all the other heritors agreed, but James Johnstone of Corhead stated "that two fellowes of the surname of Reidford his own tennents in the roume called the Park, in the paroch of , were justly suspected in haunting feild conventicles (supposed to be keeped some place about Craufurdmure in Cliddsdaill) by reasone they were sometyme knoun to be a considerable tyme absent from their oun housses at once." Of this intimation was sent to the officer commanding at Dumfries with a request for their apprehension. Signed by the Earl in name of the other heritors. [The petition by the ministers craves exemption on religious grounds and the example of the Apostles from mixing in secular affairs and sitting and advising with the heritors.]

135. Military Order by Major-General Hugh Mackay, addressed to the Officer commanding Colonel Langton's regiment of horse at Carlisle, requiring him to place twenty-five or thirty horse at the service of the Earl of Annandale, to be under the Earl's orders for the King's service and securing the peace of the Borders. Elgin, 8 May, 1689. Signed "H. Mackay."

136. CONTEMPORARY COPY Missive.—The Highland Chiefs to Major-General Mackay. Birss, 17 August 1689. They had received his from Strathbogie, and they saw he had written to Brigadier Cannon from Perth (St. Johnstoune) "to which he gave a civill returne, for by telling that yow support yourselves by fictiones and stories (is a thing knowen all the world over) is no raileing. . . . Instaide of telling us what Christians, men of honour, good subjects and good neighbours ought to doe, yow tell us in both your letters that his Majestie [King James] hath hott warres in Ireland and cannot in haist come to us, which though it wer true as we know it is not, is only ane argument from safety and interest. And that yow may know the sentiments of men of honour, we declaire to yow and all the world, wee scorne your usurper and the indemnities of his government; and to saive your further trowble by your frequent invitationes, wee assure you that wee ar satisfied our king take his owne tyme and way to manage his dominiones and punish his rebells; and although he should send no assistance to us at all, wee will all dye with our swords in our hands before we faile in our loyalty and sworne allegiance to our soveraigne." After an unimportant clause they add thanks for the good meaning of his invitation, and will endeavour to requite it. Those of them "who live in islands have alreadie seen and defyed the Prince of Orange his friggots." They sign "A. McLeane, Alexr. M'Lean, Sir Ewin Cameron of Lochzeald, John Cameron, Donnald McDonnald, John Farquharson, John Grant of Balndallach, A. M'Lean of Lochbuy, Patrick Stewart of Bellachen, D. McDonnald, Banbecula, R. McNeill of Barra, J. McNaughten, Alexander McDonald, D. McNeill, A. Macknaughten, Rorie McDonnald, James McDonnald.

137. LETTER. Sir John Dalrymple, afterwards first Earl of Stair, to Sir Thomas Livingstone, Commander-in-Chief in Scotland. London, 28 April 1691.

He refers to a promise by the king to send down some ammunition, &c., and also to the difficulty of filling the post of Lieutenant-Governor of Inverlochy. He then says: "The King is informed yow intend to send a considerable detached party to join with som from Colonel Hill of the garison of Inuerlochy to attaque the Hylanders who ar at present quiett. I told his Majesty I had no insinuation of that from yow. He ordered me to writt to yow not to medle with them at present, so long as they uer quiett, for yow know how litle the treasury can spair for any utrick or incident charges, in caice they should draw to a considerable body and oblige our army to com togither to observ them or reduce them." He further refers to the punishment of defaulting soldiers by a "martiall court," and that the king desired strict discipline to be kept. Signed "Jo. Dalrymple."

138. The SAME to the SAME. London, May 4, 1691. He refers to some disagreement between the King and a committee of the Privy Council, and expresses confidence in Livingstone's qualifications and affection for the king's service, but if he do not apprise the king otherwise, it is presumed he agrees with the Council of which he is a member. "The king inclines extreamly to oversee bypast faults and not to fright any considerable party of men from comming softly to ther deuty and his obedience. Its plain yow ar in condition to raise the Hylanders who ar at present quiett and to giv them a pretext to fall down in bodys and cary catell from the Lowlands now when ther grass is up to sustean them; bot uhither yow ar in condition to supress them and hav mony, amunition and vivers to maintain the army if brought together, that yow

knou best; and if ue may trust the accounts cam laitly from yow, ther is no fonds either of mony or provisions for the month or amunition in the kingdom, not to speak of the inconveniency to forc thes laules people to call help from abroad. If it pleas God to giv success to the projects now on foot to straitn Franc, then mor may be thought fitt to attempt upon the Hylanders, uhen the amunition yow expect som months henc can be with yow." He then diverges into generalities about the troops, &c.

139. The SAME to the SAME. London, May 6, 1691. He begins by a reference to "that misfortun of my Lord Newbatle," which may prevent his continuing in his post, and remarks on the consequent changes in the regiment. Lord Belhaven "thinks he was neglected in the last modelling of the troopes and he believes he aught not to own a troop of dragoons but wold hav it givin to his son," but this will be difficult to obtain. "The wind hath bein cross bot the three frigotts ar gon towards yow. Consider uhither it will be best that the Hylanders be not medled with, bot that the Ilanders may be brought to obedienc by the help of the ships, or uhither they be all of a peice so as sturing any puts all in commotion, in uhich caice the king will not allow them to be medle with. I shall indevour to knou his pleasur uhither the ilands may be touched by a party put aboard the frigotts or not, and I will expect to hear from yow uhither that may ingadg all the clans to draw to arms. That depends so much on the circumstances that on at distanc can not make any sur judgment of it. I hav reason to believ Colonel Hill apprehends it may hav ill consequences, bot you may knou it better."

140. SIR WILLIAM HAMILTON OF WHITELAW to WILLIAM EARL OF ANNANDALE. 9th July 1691. He had not written on Tuesday, as it was also post night for Holland. "The Bass stands out, and it is thought that four men who stayed about that coast severall weeks and were severall tymes in Gairltounes house went in with his boat to the Bass, for both they and the boat hes been a missing since. Some of them spoke French and some Englishe. He payed their charges and the expenss of their loidgeing and dyet the night before the Bass was surprysed. Gairletown is in prisone, but will confess nothing. There did not land 4 ships in the Isle of Sky, but on merchant ship with flowre, brandie, a few barrolls of powder in the isle of Donallin, and the provision putt in the Earl of Seaforth's house. Collonel Hill [Commandant at Fort William] wryts that litle supplie and the Earl of Broadalbanes his negotiating hinders severalls to come under oathes to the governement." Sir Thomas Livingstone is to march in a few days. "A frigot sent downe to cruise upon the Scots coasts went in to the mouth of Clyde and troubled the merchant ships, and did not follow or wait on the French capers when advertised. It has been recalled by the queen." The queen has also reprieved McMillan, the smith, who killed the laird of Bargaton. The council have ordered the magistrates of Inverness to carry out their commission appointing a minister whom the "disaffected" would not allow to preach. "Sir William Lockhart will not suffer the kirk to have an agent," &c. Signed "Wil. Hamilton." The Earl of Perth is to be transported from Stirling to Dalkeith and put on his parole, "untill he would gett the Earl of Wigtoun and his brother out of France," but he is not likely to accept the conditions.

141. LETTER, without signature or address, with news from Ireland. 14 July 1691. "My Lord, The takeing of Athlone came on Sunday

7 night, so the then next Mundays Gazett would be with you so soon as I could write, since the certainty of Smyrna fleets arrival was never come till last night; and this morning the Lord Justice Porter and Lord Chancellour there, by his letter of the 9th instant, gives a full account of the Smyrna fleets safety at Kinsaile and that it intends straight for this river. He also writtes that the packet boats and other vessells that arryved at Dublin Bay declare they hard at sea, on the 7th and 8th instant great shooting and broadsydes, believed to be the engadgement of the two royall fleets of England and France. God give us success; and its hoped the 20 men of warr, the convoy of the Smyrna fleet, with the whole seamen of that fleet, will come seasonablie to reinforce our navy, tho its hoped they would not need their help. Our kings army at Athlon on the 5th instant, encamped 6 myles (half way towards the Irish Camp, and that our Generall, Ginkle, had prepared all things for a field battle, quhich he was resolved to offer if they would accept of it; if refused, therafter he knew the countenance of the enemy, their resolutions and the posture they were in, he would call a councill of warr and accordingly proceed either to force their entrenchments or go on to Gallow as they have cause. God direct and prosper them. Its said the Spainish ambassadour here hath got letters bearing that the Land-Grave of Hess, with 30,000 men have invested Charleville very opportunly; the most of its garison was put into Dinant. There are also letters from Ireland say that Galloway [Galway] is capitulating with our generall. Our king, the king of Spaine, the States Generall and the princes of Germany have represented to the emperour of Germany the necessity of making a peace with the Turks at so favourable a juncture; and to inforce his application they have expressly told the emperour that if he slights or loses this opportunity they will forsake him by withdrawing all their forces in Hungary, and will doe for themselves, &c."

142. Sir William Hamilton of Whitelaw to William Earl of Annandale. 30 July 1691. The Earl of Perth is out of prison on his parole, and giving bail. Three conforming ministers have been received by the Commission of the kirk with 9 or 10 in other places. "I can learne nothing of the two fleets of war. The privateers from Dunkirk burned a gentillmans house of Northumberland." The Council of Scotland sent a boat after the privateers to discover their whereabouts. "They stole out of Dunkirk; some shipps are after them," &c.

143. Letter, unsigned, to William Earl of Annandale. 1st August 1691. General Ginkle has put three regiments into Galway, 4,000 of the Irish there having marched to "Lymbrick," and the king's army is on their way to "Lymbrick," Sarsfield and his troops being there! "The Dutch maile is also come; both the armies continued as befor, but that Generall Flyming and the troops of Leidge•wer joyned or very near our king's army . . . the next morning our king was to decampe or to attacque the enemy (the first is rather beleeved than the last). Monsieur Cattinat hath repassed the Poe. Its confirmed the Prince of Savoy fell on his rear. . . . Great differences are on foot amongst the Turkes, some being for a third brother (Achmatt I thinke they call him), while the military men are for the nephew to be made emperor. . . . Lord Dartmouth is in the Tower, Captain Crone absents himselfe and the Barbadoes fleet is certainly taken by the French with their convoy, as the French privateer (that is taken) sayes. An express from Scotland this morning signifyes the Highlanders

have brock the truce." [The Earl of Annandale was at Bath at this time.]

144. LETTER, unsigned, to the Earl of Annandale (still at Bath). 3 August 1691. . . . We have account from Scotland that the Master of Stair [Sir John Dalrymple] has wrott to Sir Thomas Livingstone . . that the king expects he marched and encamped the forces near the border of the Highlands, and does now require him to continue them till furder orders, but they are not marcht as yet. . . The king being resolvd to fight the enemy in Flanders did sitt some time under a tree when he was vewing them, and within less than two minutes after he rose, a canon ball shot from the enemies camp lighted where he had been sitting. The wagons for the artilery being togither wherof each contain'd a barrell of powder and 25 bombs, 2 bombs were fired which made a great noise, and a kindled match was found in the third bomb, but some stout fellowes drew the wagon from amongst the rest and quenched the bomb. Ther was great hazard that the wholl ammunition and bombs . . had bein lost and so the artilery made useless.

145. SIR WILLIAM HAMILTON OF WHITELAW to WILLIAM EARL OF ANNANDALE. 6th August [1691]. . . "Your lordship had accompt that Stewart of Appines men being wounded by one of Colonell Hill's men, who were bringing some provision to the gariesone of Fort William, upon a private scuffill or quarrell, Appine followed Hills men with two birleines full of armed men, brought Hills souldier who gave the wounds and comitted some other small abuses, and thereupon wrot to Colonell Hill that he would keep his man untill he got satisfaction. After some letters past back and forward, Colonell Hill sent a partie of 400 men with his Major, and brought away his owne man, the Laird of Appine and severall other gentillmen, and brought them prisoners to Fort William." They were ordered to Glasgow, but will be put to liberty. The Duke of Leinster, having a commission as Commander-in-Chief of the forces in Scotland, sent (by the queen's direction) an order to Sir Thomas Livingstone not to march nor encamp the troops near the Highlands. This was partly the result of the Earl of Breadalbanes negotiations with the Highlanders. "Navele Payne hes the libertie of the castle as other prisoners by the councells order. The bischop of Glasgow to goe under guard to Collington to see his lady who is sick, and no herring boats must goe within a myle and a halfe of the Bass."

146. LETTER, unsigned, but apparently from Alexander Johnstone, brother of Secretary Johnstone, to William Earl of Annandale at Bath. 7th August 1691.

"My Lord.—The letters from Flanders say that the Duke of Luxemburgh decamped after our king did the like. Soe both the armyes were not only in sight of each other but in a maner there was noe distance. This cawsed our king to resolve to attacque them next morning. Accordingly all things were ordered, but the day appearing, our king found a river, defiles, morrasses, tuixt the two armyes. Soe he fund it not advisable to venture a battle on such uneven tearms. The Duke of Luxemburgh hath since encamped soe advantageously that both he hath abundance of all sorts of supplyes, and alsoe he covers Mons Dinant, &c., which makes me think there will be no batle there this season." He refers to the sudden or accidental firing of the two bombs—"some letters say they found a lighted match near the place and that two persons were seized on suspition of treachery . . . .

The letters from Dublin this day say that our armye with all their battering cannon bombs would be before Limerick on Wensday last. God give them success. The Irish have destroyed all the forrage near Limerick. I doe not yet find they are inclinable to submitt on the tearmes Gallaway gotte, which I look as an infatuation on that bigott people." Stewart of Appin and the others taken by Colonel Hill are to be liberated. Captain Cron absconds. "Sir C. Shovell hath stranded a French frigott near Brest. We have lost an East India ship in India. Two French ships hapned near; they killed the poor creatures as they were swimming to them for shelter—a barbarous inhumanity."

147. ALEXANDER JOHNSTONE [formerly named] to the EARL OF ANNANDALE, 25 October 1692. . . . I doubt not you have heared of my Lords Tarbett and Broadalbions suddaine journey to court, wherein it seems they made more haste than speed, for on Saturday the king commanded them back againe without giving them a moment to speake one word for themselves. . . . Their notice of the prohibition before they left Edinburgh is so clearly proved by writt and witnesses, that its undenyable. These lords returne thus is the least misfortune that hath befallen them. . . . At first on their arrivall they declared to the queen on their words of honour, that they knew nothing of the prohibition, whereupon they kissed the queens hands, but before the king arrived the full proofe of their knowledge of it was come, which the king seeing undenyable it turned the ballance to their shame. . . .

148. LETTER, unsigned, but apparently from John Fairholme of Craigiehall to [his son-in-law] William Earl of Annandale. Westminster, 1st December 1692. "My dear Lord, . . . I doe assure yow none of us hes anie pleasure in our stay heir, and had beene at home ere now, if we had not judged it verie prejudiciall to your bussines to a pairted contrair to your freinds will and expresse desyre, for we pressed it severall tymes till he wes uneasie with us. On Tuesday quhen we were with him and wold have spok at lenth, he intreated we wold forbear till the end of this week, and against then he said we wold see how affairs went, for thair wes great things on the wheeles, and that he wes goeing to Kensinton with a great manie papers being neir a close of his waiting and his head full of bussines. He, his brother, and his men this moneth bygone hes beene wryting everie day betuixt 4 and 5 in the morneing, and just now we hear he hes not now at 7, put on his cloathes. We will call tomorrow to him and will be glad to get our dimittimus. I beleeve he hes a hand in all things now of consequence, and rises daylie. . . . Lies [Lockhart of Lee, &c.] brother wes promised Dumbarton Castle, and yesterday the king told the AB. C. [Archbishop of Canterbury?] his freind that he would doe it, but that it wold be uneasie to him because he now neided men of experience and trustie, but that if he pleased he wold do it; quhairupon the other past from it and wold not suffer it to be done. Thair is great grumbleing at this." [The rest of the letter is parliamentary news, not important. Secretary Johnstone seems to be the person referred to in the first paragraph quoted.]

149. ALEXANDER JOHNSTONE to the EARL OF ANNANDALE. Whitehall, 2 February 1692–3. Announcing "The prize is wone. The tyde is turned." The king had settled the town of Edinburgh's affair "in a healing manner." That Sir P. Morray and Sir W. Lockhart are out of office, and Duke Hamilton presides in the Chancellor's absence. The Earl also is now a Privy Councillor and an Extraordinary Lord of

Session, an earnest, he hopes, of advantages to follow. He advises the Earl to "hasten to Edinburgh to take possession of these posts in soe criticall a time, to keip the ballance even, and by your diligence not only ingratiate with the king but alsoe make your selfe usefull, if not necessary to the government for the future," &c. [On 8 February 1693, Lord Chancellor Tweeddale wrote to the Earl intimating his appointment as a Privy Councillor and desiring him to attend at his "convenience."]

150. ALEXANDER JOHNSTONE to the EARL OF ANNANDALE. Whitehall, 28 February 1692–3. Chiefly about Stapleton and Stanke, apparently two Jacobite agents, whom he wished the Earl to apprehend. He thinks that Stapleton has returned to London, while their servants have gone forwards "on travelling horses. If they can be catched with their papers it wowld be a great peice of service, and wowld be very seasonable at your entring into the government. Your owne zeale will prompt yow to have it done. Its apparent that the Jacobits make use of Scotch toolls finding them indigent and capable and ready. My Lord Cheif Justice says that he hath examined many men, but never found such cunning, artificiall answers as he mett with from Johnston, the foresaids confederate. He is to be tryed in the king's bench next tearme," &c.

151. NOTE of a quarrel between the Archbishop of Canterbury [Dr. John Tillotson] and the Master of Stair. *Circa* July 1693. "The Archbishop says that the Master of Stairs came to him with a writen copy of the Church act in his hands, and told him that by it the Episcopall clergie were requyred to own presbitrie to be the only government of the church. The archbishop said that was not possible. The other affirmed it. The archbishop desired him to repeat the words once or twice which he did. Sure, said the archbishop ther must be some restriction as *of this nation*, or such like. He answered that ther was no restriction at all. The archbishop said he could hardly believe it, but if it was so it was rather an act of exclusion than of comprehension. Since, the archbishop getting a true copy of the act, challenged the Master of Stair of having imposed on him. At first the master endeavoured to deny what he had said. No, sir, said the archbishop, I am not a man to be used so; you did say it over and over again, for I made you repeat it to be sure of it. Then the master owned that he had said it and endeavoured to excuse the thing." The Bishop of Salisbury by the archbishop's desire told the queen, and the archbishop also complained to her and "will writ to Flanders to disabuse the king." For the Master of Stair had reported that the archbishop called the act an act of exclusion "which the king, knowing the archbishops moderation and temper in speaking, concluded to be so. This it seems has given a wrong turn to all Scots bussines. It is said the archbishop has forbid the master his house. Its very like, for he resents the thing highly and publishes it."

152. JAMES JOHNSTONE, SECRETARY OF STATE FOR SCOTLAND, to the EARL OF ANNANDALE. London, 29 July 1693. After some generalities, he says: "The archbishop spares not my colleague neither to the queen nor to others for the trick he put on him. That hath wrongd all our bussinesse, but the archbishop will now writ and disabuse the king. The stop to our new levies makes a great noise here, and unlesse remedied will make a great noise, too, in the parliament here next winter. Our fleet on Sunday last was 40 leagues beyond Ushant. Their orders are to find the French if they can."

153. The SAME to the SAME. London, 24 August 1693. "My Lord, . . . S[t] Brigide is taken. If Pignerol follow, it will be a great blow. The parliament is adjourned till January. The duke [of Hamilton] has leave to come up; there is a prohibition for others . . . There will be noe assembly till the king be here himself, nor till then will he doe any thing in our bussinesse that he can shun. . . . There will be great changes here. The whig party in the city by lending and adressing so seasonably have restored matters here," &c. [On 31 August, the Secretary wrote that the siege of Pignerol had been given up, and he expects the king over towards the end of next month. He adds: "I doubt not but my Lord Sunderland will be the man this winter, and its like the change will be not only of men but of measures," &c.]

154. The SAME to the SAME. London, 19th October 1693. . . . "The wind hinders the king. The duke [of Hamilton] receives great compliments upon our proceedings last session, and to show that it is not barn compliment, men of the greatest figure here have assured him that they will push here for the same methods, without which they doe not thinck the present government can hold out. Thus he is much confirmed and sure he's the fairest foundation to build upon that a man can desire. This puts him in good humour, but we have not been upon particulars. I pray him to have patience. The case of this nation and ours is the same. If they here cannot prevaill, we shall never doe it, and if they doe it we shall have an easy pull of it." [In a P.S. he adds: "I am glad your pardon is passed."]

155. ALEXANDER JOHNSTONE to the EARL OF ANNANDALE. 21 October 1693. "My Lord, I expected an opportunity of a flying packett for your snuffs conveyance, but the crossness of the wind hindered the kings coming which would have given it. Your councell measures are more changeable than the wind, other wise our king had been here these three weeks agoe. Such unaccountable wavering steps expose the government and reflect on the administration, clearly showing that it's all a strugle and wrestling twixt the two grand interests. I hope speedily to say that these things will not please. The French fleett is come safe to Brest. The affaire of our peaceble three admiralls is delayed till Monday next and I beleive till the king comes, if not till the house of commons cognosce it. I know not whether that honourable house will be of soe calm and quyett a temper as these three peaceable worthy gentlemen were of all this campaigne, I mean as to them," &c. [In a P.S. "Receive the snuff—two ounces—from the Cokoe tree."]

156. WILLIAM EARL OF ANNANDALE to JAMES JOHNSTONE, SECRETARY OF STATE. A draft, dated 23 October 1693. Requesting that he might be allowed to sit as an extraordinary Lord of Session. It will be "a mighty advantage to me . . . becaus my own affairs reqwire my attendance at Edinburgh, and I will endeavour to acqwitt myselfe soe as my friends may have no shame off me, and that I may in some measure be usefull to my selfe," &c. [Written from Lochwood, where the Earl says he had been for two months dealing with his own affairs. In a letter dated 31 October 1693, also to the Secretary, he says: "I resolve in a week or ten days to be att Edinburgh and will attend the session closs, for such ane occasion off improvment I will nott neglect." He also reminds the Secretary about his countess for whom he desired a post as lady-in-waiting on Queen Mary.]

157. LETTER (draft), William Earl of Annandale to [address wanting, but probably] James Johnstone, Secretary. Edinburgh, 2 December 1693. "The adjournment off the Assemblie was no greatt surprize to annie, nay, I beleve, nott to the ministers themselves, att least, the discret and intelligent pairt off them, which I am confident they will all confirme by dutifullie submitting and acqwiessing to itt. I need say nothing of the foolish protest wee had against the proclamation. The journalls off councill and other accounts will informe you fullie off itt; soe as you may see itt wes a drunken madd business, without annie other foundation, and iff itt makes annie noise with you, itt is withoutt ground. Wee are full hear off greatt differences betwixt his Grace [probably Hamilton] and you, no less then muttuall accusation to the king off each other." He thinks this is a foolish story invented by the Jacobites and their friends, but begs the Secretary to beware lest it "may resolve in a prophesie," when the king comes to deal with Scottish affairs, &c.

158. WILLIAM EARL OF ANNANDALE to [address wanting]. A draft dated Edinburgh, 16 December 1693. He regrets the measure taken by the king as to the levies. "His Majestie might have pleased himselfe and sattisfied the cuntrey by ordering the levies to goe on under honest men, and then made his draught for recruits, which wold nott have been considered soe directlie to invert the designe off the parliament; but I wish people who advise him thus may have good designs, both toward his interest and government. Butt this I must say, considering all things, itt looks to be the wrong way to work, and butt a verie ill omen off other matters. God knowes I say this verrie disinterestdlie and with good thoghts both to my king and cuntrey, which I will ever maintain so long as breath is in me; for goe matters as they will, I shall ever be firme to him to the last." He does not know what Hamilton has done in this matter, and he hopes Lord Carmichael will act "ane ingenuus and honest pairt." "For reallie, this I must say, that unless there be a stopp to the carreer off the kings enemies heare, those who are his freinds will in a short tyme, not be in a condition to esspouse his interest publicklie, nor for anny thing I kno, to live qwietlie upon there oun. And allow me to tell you freelie, that the mal treatment the commissairs meett with proceeds evidently from nothing else butt picque, prejudice and malice, because they were willing to serve the king, cuntrey and forces, att ane easier rate than the five pence men, who are knouen to be devotted and sworne friends to King James and his interest; and the designe is obvious to wearie them outt off itt, soe as the five pence men may enhance itt. I doubt not youl have by this post a double off the circular letters which hes been sent aboutt to all the sheriffs where the forces lye. I leave itt to your consideration, butt I think it ane odd way off proceeding and not the best off service for annie to raise dust, or to creat a missunderstanding betwixt the cuntrey and the kings forces, and wee kno nott what may be the consequence," &c.

159. ALEXANDER JOHNSTONE, brother of the Secretary, to the EARL OF ANNANDALE. 9th January 1693–4. He expresses grief at the death of the Earl's father-in-law, John Fairholme of Craigiehall, and refers to an indisposition of the Duke of Hamilton. "Sir James Montgomery of Skelmorley was seized this morning by a warrant from Secretary Trenchard. The way of his taking is variously represented, but that which is most beleived is that it was accedentall, for the messengers knew him not for severall houres while in there custody,

till Mr. Vernon, the under Secretary, was sent for to see the person who imediatly knew him, Mr. Vernon having been Secretary to the Duke of Monmouth at Bothelbridge. I desire to lay my hand on my mouth, neither excusing nor accusing him till I see the result of this surprizing providence. I doe beleive he now hath in his hands a faire opportunity forced upon him to save himselfe, his family and fortune and the honest loyall interest in these 3 kingdoms, especially in Scotland, if he deall ingenuously, by which it may be known who are the clean or the uncleane," &c.

160. The SAME to the SAME. Whitehall, 15 February 1693–4. He is glad that Lord Carmichael, the lord justice-clerk and others have given the king an account of the Earl's "zeale and serviceableness in the government . . . When your lordship took Stanke it was represented to the king and queen and it did yow good." He offers now another and "farr greater opportunity" to shew zeal and activity. "Its thus—Captain James Murray, Stenhops sone or brother, and one of the witnesses against Kilsyth, is very latly come from France full fraughted with all instructions, intreagues and misteryes of the French and late kings courts and their ministers against this government." Murray had already narrowly escaped capture and is gone to the north of England, especially to the house in Northumberland of Colonel Graham, Lord Preston's brother, while he may be found by the Earl sheltering in the Scottish Border. The writer adds: "His taking at this time would be the most seasonable and acceptable peice of service to their Majestys and the publick good at this juncture that can possibly happen in your or my life time, there is soe much weight depends on it, both as to English and Scotch affaires; and if yow think it adviseable that Captain Johnstoune be trusted in the management of it, his circumstances giving a faire colour for his lurking about the Borders, or any other yow please. I have noe other designe but their Majestys service and raising yow up to be the envye of your enimyes and satisfaction of your friends."

161. WILLIAM EARL OF ANNANDALE to SECRETARY JOHNSTONE. Edinburgh, 15 March 1694. (Draft) . . . "Wee heare all our countrey men have either parted or are to part soon from London. I wish they were well heare with all my heart for they be uneasie eneugh heare, yett they cannott doe soe much hurt as in appearance they have done with you, since it seemes throw there means wee are to expect att this tyme noe rectification either as to men or measures. I wish to God, by this delay the interest off the King and off all honest men may not suffer, and iff soe, trewlie I shall be the less concerned. Our councill heare are verrie unanimous and carrie all matters with an high hand. Mellvills whole familie are struck in as to all intents and purposes with Earl off Linlithgou and the rest of your neighbours friends, soe that heare is a firme friendship and confederacie both in councill and thresaurie; and unless itt be my Lord Pollwart and I and one or two more, there is nott one to say itt is wrong they doe in annie thing. Wee have, indeed the assistance of Sir Thomas Livingston. . . . I must tell yow and can make itt appear that iff there be annie thing done for the necessarie securittie off king and cuntrey, itt is altogither forced work, and with no small strigle and wrangling." That any obedience was given to the king's letter for putting in execution the laws "for securittie of the government, mett with opposition eneugh publicklie in the councill, for both Linlithgou and Tarbett said they did nott beleve the king meant the taking off horses and armes from

those who wold nott take the oaths to be generall, but the act onlie to be applied to some particular persons. If by waiting on the kings busness heare, and even struggling and wrangling for him, I could serve him or get busness done, I should nott grudge my attendance; butt the number is soe unnequall, and the constitution off the government at present is such and no appearance to be otherways, that I am resolved to goe home; and wish the world may be disappointed and people may answer the trust faithfullie his Majestie is pleased soe francklie to give them," &c.

162. The SAME to the SAME. [March 1694. Draft.] He hopes "our assemblie carrie discreettlie, which I am in a greatt measure perswaded off, for the ministers appear to be verrie weell disposed, and intyrlie sensible off the designs and snares there enemies have laid for them, which I am hoopfull they will avoid by a wise and moderatt conduct. . . . Since you approve my resolution of rettiring to the cuntrey, iff busness runn in this channell, I am resolved soe soon as I hear the king goes to Flanders to leave this place, for I am sure in serving the king hear and adhering to his true interest against the Jacobite faction and the other enemies off his government this tyme bygone, I have rendered myselfe the most obnoxious man in the nation to there malice and envie; and I may saifflie say, that iff I had been less forward upon all occasions in his Majesties busness, both in judicatures and otherwayes my reasonable bill had gott a better answer from some off the lords off his thresaurie." He is, however, only anxious that the king may be satisfied of his sincerity and heartiness, and that he will "with life and fortune serve him against all his enemies whatsomever, to the last. He refers to the disappointment of Lord Ross at not receiving a regiment, and his consequent anger at the Secretary. "I wish my greatt unckle [the Duke of Hamilton] were weell in Scotland, or rather that he had nott been out off it att this tyme, for you may remember my fears were from the beginning that he wold obstruct busness, which itt seems he hes hitherto been successful in," &c.

163. The SAME to the SAME. Draft. 5 April [1694]. He is glad the Secretary thinks he may have the "cloathing munny," though not a sixpence will go into his pocket. "Att least itt may be thoght sufficient I serve the king for nothing, wheroff I finde I most be the onlie instance, since for a reward off the Marquis off Duglass great services done and to be done, he hes the estaitt off Dundee bestowed on him." He does not grudge the king's gratuity and assistance to this "old and honorable houss," but he wishes they had not been gratified at the expense of Sir Thomas Livingstone, &c. ". . . I have been this day and yesterday at councill, where I assure you the most of us goe on verie francklie. First, for reprives to all the Bass men, after a greatt dale off debaitt and some pleading that King James commission should be excuse, itt came to the vott—Reprive or *nott*—and I wes the first in the councill voted nott; upon quhich the councill splitt, soe that itt came to the chancellors casting vott, which he wes pleased to give for reprive to the first Fryday off May. This putt the councill in soe good and charittable a dissposition that they did proceed to take the petitions of all the prisoners under consideration, and have accordinglie this day and yesterday sett all at libertie upon boand. When they came to this Sir Thomas Livingston and I went to the door so that wee were nott actors in itt. The justice clerck and others who wold have opposed itt were in the assemblie butt it had been to no purpose for there majoritie by much carrie what they will." He

is therefore going to take his leave, and is glad the Secretary approves.

164. The SAME to the SAME. 17 and 18 April 1694. Draft. The Assembly is dissolved, to the satisfaction, he hopes, of the king. . . . "Wee had yesterday ane extraordinarie councill purposelie for to defeatt the praclamation for taking horse and armes from the disaffected which the Chancellor pressed with greatt heatt and violence." He and the Advocate meant to issue a letter to the sheriffs excepting "all coatch horses, draught, pleugh and laboring horses in all mens hands whatsomever," and applying the proclamation only to those who, when cited, had refused to qualify. "The Councill were pleased to reject all this, except in soe farr as itt comprehended laboring and pleughing horses in the hands off tennants and laborers, which they thoght the act of parliament should nott reach. And because I wes forward and the first in councill to oppose him in this matter he [the Chancellor] wes in a mighty passion and heatt against me." The Earl announces the Duke of Hamilton's return who "is seized with a violent palsie which affects his head soe as he speaks non nor knowes no bodie and hes lost intyrlie the use off his limbs. This distemper begun upon him at Darnton [Darlington] upon Thursday and incresced by degrees evrie day since, soe that he is in a greatt measure spent and is not like to putt itt off long. Iff his temper, constancie and good humor had been suittable to his parts, his loss had been a greatt deall more sensible to the nation. The Bass yesterday gave a signe and have sent termes, wheroff I kno not yett the particulars, butt in the generall I hear they are exorbitant. . . . Iff there be occasion for your doing for me by Duke Hamilton's removall, I am sure I need scarce minde you," &c.

In a postscript he intimates the Duke's death that morning [18 April] at six o'clock, adding: "Iff I am to be trusted, I hope now is the time, and iff the king either knowes or beleves me to be what I am, I think with the assistance off your frindship and endeavours I have a fairer view then anny other of serving in my uncles station in councill." He does not consider his competitors formidable, and Mr. Carstairs has professed great friendship for him. If he is disappointed, he can go home and manage his own affairs.

165. WILLIAM EARL OF ANNANDALE to ALEXANDER JOHNSTONE. Edinburgh, 5 May [1694]. He is very desirous that "some men were turned outt who designe nothing less than the ruin" of the king's interest and of the nation. He urges Johnstone to stir up his brother, the Secretary, to push business, to act for the king and recommend himself to the nation by making changes [in the Scottish administration]. The report that Sir Thomas Livingstone is going to Flanders makes the writer "allmost think a redress and rectification of busness desperatt. For iff itt should succeed, I may freelie say itt wold be the severest stroak ever the kings interest suffered in this nation, and I am sure your brother in particular should nott be able to make up thiss loss, for he is intyrelie his. This consists with my knoledge particularlie. Soe lett him consider weell, for he is a greatt card and nott to be lost, tho my Lord Murray had nott soe much frindship for anny off you as to employ your relation Hallyeards in his regment, yett I gott Sir Thomas Livingston to give him a companie in Sir William Douglass regment."

166. WILLIAM EARL OF ANNANDALE to SECRETARY JOHNSTONE. Draft. Lochwood, 13 May 1694. Much in the same strain as the preceding letters. ". . . Butt you must allow me allmost to dispair

off a rectification of busness in this nation, either as to men or measures, since I have seen and doe see dailie such gross tricks and villannies practised both heare and there, publick appearances in judicattures evidentlie against the interest off the king and his government, and no nottice taken off them, yea these the onlie men who are encouraged; and least they should be dissobliged, others who . . wold serve the king faithfullie and vigorouslie must nott be employed. Itt appears a riddle that the Whig partie carries itt in England and the Episcopall in Scotland. I kno you will nott putt a wrong construction upon what I woritte freelie . . . and therfor lett me ask you whence the great confidence comes that the king hes in Lord Murray that he is named amongst the officers of state" [for filling up certain commissions]. . . I must say Lord Murrays name there wes a surprize, butt wold yett be more to be secretarie off state; tho I confess after soe signall a mark of the kings confidence he may be expected first in the government; butt take care off a new Gilliecrankie." He refers as formerly to the difficulties in getting anything done for the security of the nation, &c., and laments the loss of Duke Hamilton who was the "onlie check upon them." "They concluded he could nott be fixed, and therfor were affrayed off him, which keeped them in some measure within bounds, but now that there is non either to oppose them or counteract them, be sure they will goe on with loose reins and carrie on busness to greatt extremitties, such as I feare may be hard eneugh to retrive." He would come to London in person but there are too many inconveniences. "The king has a true notion off Arran [Hamilton's son]. You might no doubt have Queensberrie, tho he vous and swears otherways on all occasions; butt how this nation and you wold be stated with either off them, I think I need nott tell you. Duke Hamilton had reason to speak weell off Aberdeen to the king, for he wes in closs frindship with him. But I may warrantablie say he is the source and head off the Episcopall and Jacobite partie in the North of Scotland and privatlie does King James better service and acts more effectwalie for his interest then the whole partie besides are able to doe." Of this he offers further confirmation when he goes to Edinburgh. He again deplores the removal of Sir Thomas Livingstone, and forebodes evil of other changes.

167. WILLIAM [TWELFTH] LORD ROSS to WILLIAM EARL OF ANNANDALE. London, 27 November [1694]. He is glad to know that the chancellor is to come to London, as he may be useful for their interest. "The losse of the [Arch]bishop of Canterbury is unexpressible and the choice of a neu good one will be of great import. Last day I kissed the kings hands, who receaved me very weal and spoke kindly to me, and this day Lord Lindsay, Sir Thomas Leviston, Sir William Hope and I, kissed the queens hands, Sir Thomas having waited on the king a litle befor who receaved him very kindly. The parliament heir goes weal on and will give mony liberally, and I hope, sooner than former years. Things abroad have a far better prospect then some time past."

168. JAMES JOHNSTONE, SECRETARY OF STATE, to WILLIAM EARL OF ANNANDALE. London, 6 December 1694. He wishes him joy of his new honour [as President of the Council in Scotland.] Dr. Tennison or the Bishop of Lincoln is named Archbishop. He advises,—"You are absolutely in the right to shun all criticall bussinesses, at least, till you writ up and know the kings mind, particularly church matters. They will be well pleased here if there be noe noise tho nothing be done. You will have much difficulty with the bussiness of

recruitts how to keep a due temper, for on the one hand the countrey must not be abused, at least not more abused then it uses to be, for abuses there will be on such occasions. On the other hand the officers are apt to clamour against the councill, and the king is much concerned to have those recruitts and will take it well to hear that you are zealous in it. There is no doubt but you yourself will abstain from heat, but its fit that you keep also all the board as much as you can from it, and that proceedings be calme and impartiall. You should writ a letter of compliment to my Lord Portland; and pray writ your letters so as that I may read them to the king, and what is not fit for that, writ it on a paper apart." In a P.S. he says, *inter alia*, "I would advise you in yours to my Lord Portland not to mince the matter of the false step you made [in 1690], but to own it and your sense of it, of which you may say you have given ever since sufficient proofs, and have not so much as lived in friendships with any of your old associats, and that you will give further proofs when you have opportunitys," &c.

169. WILLIAM LORD ROSS to the EARL OF ANNANDALE. London, 10 December 1694. In addition to wishing the Earl joy of his new post, the chief item of interest is :—"The choice of this neu archbishop gives us all good hopes for all honest men doe rejoyce at it, though others hangs ther heads. I send you the late archbishops funeral sermon. This one I hope shal succeed him in all things."

170. SIR THOMAS LIVINGSTONE to the EARL OF ANNANDALE. London, 11 December [1694]. Not of great importance; chiefly congratulating the earl on his new position, being chosen president of the Council. "The party, your lordship knous is very bussi to have maters to go worong, but I hope thee [they] shal not prevail. The wel wischers in Scotlant I thinck should weryt theer opinions plainly" especially to Mr. Carstairs. He has orders for Flanders. [William Lord Ross also writes again on this date, chiefly to ask that the Earl, with Carmichael, Polwarth, Justice Clerk, Whitelaw, or others should join in recommending changes in the government before the parliament meets.]

171. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. London, 11th December 1694. Two letters. In the first he writes by the king's order that his Majesty is very well satisfied at the Earl's election as president, "but that he [the king] does not writ this in a publick letter, because he apprehends (or is informed I thinck he said) that there is a point of right in the case, and that he never does any thing that looks like a decision in matters of right till he hear fully the case which he has not done in this. However he desires you to continue to preside. So much by order."

The second letter is franker. "Pray be satisfied with the letter you have by the kings order, for without flattering you or deceiving you I assure you that you are verry right in the kings opinion. For instance I told him that it were more for your advantage that you lived and minded your bussinesse in the country then to be his chancellor, upon which he asked me what he should doe if the chancellor should die—but this to yourself only." [As to the point of right referred to in the first letter he says] ". . . its well we have a king so nice in points of right, and Sir Thomas Livingstone is in the same case with Leven about the gunner; for tho the king is verry angry and that even Mr. Carstairs, &c. condems Leven, yet the king will know what Leven has to say. That is his rule. Goe on as you doe, calmely, and connive at everything you like not. The event must neids be good. Truth

will come out on the Advocates and Raiths difference . . . However, make the Advocate at present as much yours as you can, and own him when he is in the right. It will make businesse easy to you and nou that Melville hes joined him and me in his accusations (which the king has done me the kindness to tel me) support and encourage him. Melvill does not drinck or I should thinck that he had been drunck, . . . , as I affirmed plainly. I am glad he has now furnished me a handle to be plain upon his subject; without that I could not have been it. What he affirms is ridiculous and was indeed only matter of laughing, but its fit you be fair in appearance. However, since he affirms he never tooke any money whylle secretary," Johnstone asks the Earl to procure proofs, while in regard to a charge against himself, he desires a declaration from Sir John Hall, Provost of Edinburgh, &c.

172. William Earl of Annandale to William Bentinck, first Earl of Portland. Draft. December 1694. "My Lord, Tho the unjustifiable and false stepp I made some years agoe did justlie render me under heavie and hard circumstances with there Majesties and made me loose your lordships countenance and kindness, yett if a perfite [ane intyre][1] sense of my crime with constant sincerittie, fidelittie and honestie, in there Majesties service ever since will [can][1] remove annie [all][1] remembrance or resentment, and prevaill with your lordship favourablie to accept off thiss truble from me, I hope [am sure][1] I may upon good grounds expect itt; for I can warrantablie say that I wes wearie and uneasie under the weight off my crime long before I surrendred myself to her Majestie, and that then my ingenuitie in all that affair wes without reserve, nor have I att anny tyme since endeavoured to exenuatt my guilt as some others have done; but it hes been and shall upon all occasions be my busness rather to aggravatt itt and to give such constant and daily prooffs off my sincerittie and sense theroff, that the world may see I gratefullie remember I owe my life and fortune to there Majesties. And now . . . as I have lived abstract and in enmittie with all those who were then associatt with me, soe I am now the most obnoxious man in thiss nation to the hatred and malice off the disaffected and enemies of the government both publick and privatt." He then intimates his new honour and begs Lord Portland's commands, and opportunities of serving the king.

173. John [first] Marquis of Tweeddale, Lord Chancellor, to William Earl of Annandale. York, 17 December 1694. "My Lord, I had yours at Borrowbridge, and coming from thence one of my coach wheeles broke, and the rest proved crazie by reason of the ruggedness of the way the two preceeding days occasioned by so strong frost, so that I was necessitate to come hither." He thinks he will not reach London till the third day after Christmas. "I am glad to hear things go so well with you, and that men begin to appear in their oun colours; it will be litle to their advantage that they carrie so high, wherof notice is already taken at London, as it is wrote to me," &c.

174. Secretary Johnstone to the Earl of Annandale. 22 December 1694. He refers to the illness of the Queen who "has been blooded and vomited and its feared she have the smallpox . . . Polwart and Sir G[ilbert] Eliot have recommended a nephew of Ranquillor, one Pringle.[2] Consider privately with others if he be a fit and

[1] The words in brackets are interlined in the original.
[2] Robert Pringle, afterwards Under Secretary.

sure man and if you find him such, make first sure of him and then let him, by his brother who depends on Hugh Dalrymple, get his recommendation to the Master of Stair, for any of us that opposes can hinder. Thus Mr. William Hamilton, because of the Masters opposition will not have it and they have another reason too at court. They reckon him slow, but that its like was Melvills fault." In a postscript he writes, . . . the queen is so ill that the king will doe noe bussinesse. His campagne bed is set up in her chamber. All are in fear and great confusion. I pray God preserve her. You at a distance cannot imagine how irreparable the losse would be.

175 LORD CHANCELLOR TWEEDDALE to the EARL OF ANNANDALE. London, 27 December 1694. Of the queen he says: "The physicians give her over and think that she will not putt of this night, so that it is now no time for bussiness," &c. [On the same day William Lord Ross writes in the same strain, that there is no hope. He notes the cóming of the Chancellor and states his friends were going to meet him, but he sent "requesting he might come to toun privatly by reason of this sad occasion."]

176. ON the same day also, SECRETARY JOHNSTONE wrote: "I can only tel you that since yesterday in the morning all hopes of the queen are lost. Its the small poxe and a purpre feavre. She has still her senses and is well at the heart and may putt off till tomorrow, but that seemes all. The king takes the thing so impatiently that we may loose him too. He fainted twise or thrise tooday. He has had vexations but never grieff. Gods will must be done but things look dismally. The consequences of her death cannot be reckoned. The poor archbishop is happily gone before, for this would have made him a stock. She was the stay of his lyfe and has shed many tears for his death. He was indeed one of the best men in the 3 kingdoms and the fittest to be archbishop, and she one of the best women and the fittest to be queen. . . . She bears all with a wonderfull constancy and presence of mind."

177. LORD CHANCELLOR TWEEDDALE to the EARL OF ANNANDALE. London, 28 December 1694. Announcing "the queen's removall last night between tuelve and one, a sad affliction to the king and a severe blow to all his dominions, she being a most incomparable princess, and beloved of all her subjects above her equalls and all the crouned heads of her sex. I make no doubt yow will call a councill to order such things as are usuall upon such an occasion. The changing of the titles of writts will be necessary, and appointing the High Church kings seat and pulpitt and other lofts, to be covered with mourning," &c. [In another letter of same date, the Chancellor asks for the Earl's opinion as to the utmost amount of cess "this parliament will be prevail'd with to grant the king not only during the warre but during his life; beeause King James had during life when there was nothing but cesse to give for life" while now there were other revenues as "pole money" and "additionall excise."]

178. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. London, 28 December 1694. "Peoples concern for the queen is inexpressible, but none such as the kings. My Lord Portland and the archbishop upon her death caryed him to his own room, but he sleeps none. She said all along that she beleived she was dying, since they all told her it was so, but that she felt nothing of it within. She had her senses to the last and suffered very few moments or none at all. . . . The king

says that she never offended him now in seventeen years time that they have been marryed. . . . You'le remember that she was not a queen consort but a regnant or soveraign queen, and so excepting the proclamation about a successor (which cannot be in this case) whatever was done upon King Charles the 2ds death seems necessary to be done now." [This is followed by a formal note authorising intimation of the death to be made to the council. Same date.]

179. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. 5th January 1695. "The old Laird, my Lord Yester, Sir Thomas and others are here at a glass of wyne and drincking your health; so all I can writ you is that they are your true friends and that at long run I thinck matters must end well whatever be the rubbs in the way." [This and other letters about this date dwell on the difficulty of getting business done. On 10th January, Johnstone writes: "The king will be seen too morrow and then the letters (that approving the Earl's presidency and another) will be presented. He and the princesse [Anne] are agreed, but she is not well and has not seen him. It seemes the French king is ill too, for he comes nether to table nor masse in publick," &c.]

180. WILLIAM LORD ROSS to the EARL OF ANNANDALE. London, 12 January 1695. *Inter alia*, he writes: "Ther is a report since yesterday and it comes from the Jacobins that the French king is dead, but sure it is he is very ill. . . . Brigadir Steuart told me last day he is ordered to the Straits with 6 regiments and 1400 of the marins. Its expected, thos, with what seamen Russel can spare, will go touards Provenc, and bombard Marseils or Nice, and perhaps joyn ther the Duke of Savoy.

181. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. 15th January [1695]. "You satisfie me that Pringle is not fit. Pray think on a man, I know none. . . . You understand right both the chancellor and your own circumstances with relation to this Court. Doe noe suddain nor passionate thing that would but lessen you both to the court and nation. But you have reason to shew that you are unconcerned tho you never stand but on your own legs: you are happy that you have such legs. However, keep all within your own breast and give noe handle against you, I mean to your enemies, to make you passe for a hott indiscreet man, as they blast all people that have too much spirit to be either tools or cyphers."

182. The SAME to the SAME. 19 January [1695]. He still advises the Earl to "have patience and dissemble all," as he himself is "in the darke" as to the future turn of affairs. "All have taken the alarum upon your nomination, and thinck my designe is that you be chancellor in time and every thing. Its like the question about a chancellor was to try me; but a little time sincks all this alarum and the effects of it. I asked whom he would have to preside and added that you were willing to make roome. He said Noe, noe, he would have you to continue. You should be as well with all people as you can that you may signifie the more in the parliament." He could have wished the Earl to come to London, but thinks he is as well at home, as he has no desire for a breach with the Chancellor at present. "His inclinations are plainly right. How he will sticke to them I know not. He is never off Melvill and the fright of his presiding in case of your absence would alone have hindered him from consenting to your coming up." In a postscript, he writes: "My collegue was at Carstairs chamber yesternight

and Carstairs dined with him to day. My collegues point is to ruine his reputation, in which he succeeds."

183. On the same day Secretary Johnstone wrote a second and a very long letter, relating to certain libels printed by Fergusson [the Plotter] against Secretary Trenchard. He says " . . . because my brother and I are in them its fit you know the truth, because amongst strangers *aliquid adherebit.* I am accused of concerting the Lancashire plott with that Secretary and sending him the witnesses; but the truth is neither I nor my brother had directly nor indirectly any concern in that affair, nor did wee know the names of the witnesses but by the publick news." His brother refused Lord Shrewsbury to meddle with him and he himself was not trusted, though he knew the whole matter first. " Then I am accused of giving mony to informers. I own that I am sory I have it not to give, and that now in three years time that I have been secretary I have had but 28 pound for secret services. I did indeed give mony about the time of La Hogue, and discovered that bussines, but I despaired of getting that mony again, and I do not remember that I have given any now near these two years. It is a shame that this should be true of a man in my post, whose cheif bussiness at such times as these should be to discover and prevent bad designes. But so it is as I tell you." Some other statements by Ferguson are described as "pure forgery," of which the writer knew nothing till he read it. " As to my brother, your friend, Sir William Lockhart, and others had accused me for corresponding with Fergusson and Sir James Montgumery when I was at Brandebourg. The thing was false; for I never wrote to the one in my life, and but one letter to the other then, which was never answered. However this went so far that my pacquets were broke open at my Lord Nottinghams office." The notice he had of this put him on his guard and he was not surprised, on becoming Secretary, to find a number of informations against himself by Ferguson and others. He then desired his brother to carry all " informations of practices in England" to the English Secretaries, asking for a similar return from them as to Scotland. Thus his brother [Alexander] dealt with Nottingham, Trenchard and Shrewsbury and also with Portland, by whose order he laid out much money. " He has since with much difficulty had the mony that he laid out by order and that is all. He never had the value of a pair of gloves by the bussines, which he persisted in meerly that he might not disoblige them, but told them that it was not his bussines, and has given it over a hundreth times; but when others could not do a job he was sent for again, and must either lose the kings favour and the hopes of being provided with some good post, or obey. So much is truth and he may own it to all the world, for we in the posts of Secretary must do such bussinesses and he did ours. But instead of mentioning this, which is true, but which they do not know, they fall upon him for the Lancashire plott which I told you he was no way concerned in." After relating the true version of his brother's marriage, the Secretary says further of Ferguson :—" Then, tho the Lancashire bussines as all the world knows, was carryed on entirely in Shrewsbury's office, and that Trenchard was in the country at that time seing his brother dye, yet he excuses Shrewsbury and throws that whole matter upon Trenchard. My Lord Shrewsbury says that he had much rather be railled by him than praised by him. Ther are whole sheets such unmixed forgery that ther never was nor is so much as a cullour for it. He wrot the book to prove that Essex was murdered and now accuses the Whiggs of that calumny. He has sent his daughter to tell my brother that both he and the author are now sensible that they have

wronged both him and me and are mighty sory for it. My brother did tell him that he was a rascall and the author himself. She fell a crying. To show his gratitude, I sent him 10 guineas when he was starving at Amsterdam and when I had not 20 behind, and the last winter I sent for him to his brothers chamber the only time that I remember to have seen him these two years. I used many arguments to make him wise. He seemed to give ear to them. He advised me to keep my brother from medling. I told him that he medled very little and should abstain, if not in so far as it was the duty of my post, to send the English offices any information about England that came to me. He complained of his necessities upon which I gave him what gold I had about me—5, 6, or 7 guineas—and promised him more. Besides all this, he knows I have done him a kindness of a higher nature, which I am ashamed to own. Lord, what shall our poor Scots men do that come to England for a fortune! Litle Murray with all his religion is a . . . and Fergusson after so much noise, does thus publish himself ane infamous rascall. Ther is another, too, who has been much upon the stage of late; he will quickly appear another Fergusson. I writ all this that it may be known. Farewell."

184. The SAME to the EARL OF ANNANDALE. London, 24 January [1695]. He had given his opinion to Lord Portland that certain deserters "ought to be delivered to the Flanders officers as a part of the draught. Thus the publick faith will be kept to the Scotch officers, and men will not be encouraged to desert from Flanders. . . . The king is at Richmond, but will appear in public here on Sunday. Last Sunday he sent for the bishop of Salisbury, who was with him an hour. The king was very kind to him and said that he would never forget the queens love to him (the bishop) and his to her. They weeped both about an hour. Its strange that a man of such undaunted mind with respect to his own death, should be thus subdued with the death of another. I wish you could be lesse concerned either with mortifications or approbations. Tyme and bussinesse will bring you to that. However a man can doe much upon his own mind, if he resolve to mould it into a steady temper." [This remark is apropos of an "angry letter" the Earl had written to the Chancellor, but the Secretary says both were in fault.] He adds that Lord Portland does not do business with him. "He says to me he will not medle. I wish he would take time to it and medle. He is an honest man," &c.

185. LORD CHANCELLOR TWEEDDALE to the EARL OF ANNANDALE. London, 24 January 1695. Giving an account of the presentation to the king of the Scottish Council's letter of condolence. The presentation took place apparently on the 12th January, but Secretary Stair had written a mistaken version to the council, which caused Annandale's "angry letter" to the Chancellor. This is the latter's reply, stating the circumstances. "The king having allowed me to wait upon him that morning [12th January], as I was called in, Secretary Stairs followed me in officiouslie without being called, I suppose that he might have an opportunity to deliver the Lords of the Sessions letter, which he could not have had if he had missed that, and he following me in Secretary Johnstoun followed him. After I had kissed the kings hand I spoke a verrie few words to him of my own sence of his losse and finding the king a litle moved with what I said, I told him I had an addresse from his privie councill of Scotland upon this occasion to present to him, and took out the letter and gave it him, As I remember he said he took it kindlie and would give it an answer and then delivered it to his

Secretary-in-waiting" [who delivered the address by the Lords of Session while Secretary Johnstone presented one from the City of Edinburgh]. "Thereafter I stepped forward to the king and represented to him the necessity of his signifieing his approbation of what the councill had done; that it was according to the commission which was read in councill before the election that there was none ever pretended to supply the chair but as elected, nor did any at this time, nor could the officers of state as such, the chancellor and treasurer being tuo, and five of them usually gentlemen who never presided in councill which consists most of the nobility; upon which the king only said to me 'Send me a letter and I shall sign it.' Secretary Stairs heard nothing of this and therfor might write the more confidentlie that the tenderness of his Majesties griefe hath not allowed him hitherto to sign letters or do bussiness." [The letter of approbation was signed and sent off that same night.]

186. Sir James Ogilvie [afterwards Viscount and Earl of Seafield] to the Earl of Annandale. London, February 5, 1695. *Inter alia*, he says, "Secretarie Stair is concerned to knou hou the letter confirming your being president was obtained, for tho he was in waiting he knew not of it."

187. Sir Thomas Livingstone to the Earl of Annandale. London, 5 February 1695. He is not yet sure whether he is to go to Flanders or not. His being in Scotland has created him many enemies, and they would fain lay something to his charge, if they could. "But I ame in defyance of them all, especially he that is theer nou verry bussi to see what he can pick op. He is ane emisaire of some people here, but better can not be expectet when the skum of a nation is imploied. This last is boren the sone of a blynd ealhouse-ceeper at Inderroerie, who never did anny thing to deserve what he heath save by telling litel storris and leys, of witchs he is full."

188. Secretary Johnstone to the Earl of Annandale. London. 7th February 1695. ". . . I am glad that my neighbour [Sir John Dalrymple] bewrayes his weakness and passion as he does in his letter to you. I have it, too, under his hand that Payns plott was a forgery even after the Parliament had voted it; and I have seen his about Glenco bussines. That I would rather be as low as the center than have writen." *Inter alia*, the writer refers to the question of deserters and the draughts of men for Flanders. "It is plain enough that the king does not intend that any deserters should be restored without mony or beyond the number of the draught. Advise the colonells to comply frankly in giving the draught, and when they have done that they may ask a longer time than two months for recruiting and such other cases as are reasonable. The king said over and over again that Scotland would be in no danger this sumer."

189. Lord Chancellor Tweeddale to the Earl of Annandale London, 12 February 1695. As to deserters, &c. the king has ordered Sir Thomas Livingstone to hasten down and give assistance to the draughts to be made, which he hopes will be left in Scotland till the forces there are in better order.

190. Adam Cockburn, Lord Justice Clerk, to the Earl of Annandale. London, 16 February 1695. He had not seen the king since Thursday, but had talked fully to Lord Portland "both of men and things," and did justice to the Earl. "Next week we exspect

publick matters will be more particularly spoke to. The Earl of Lithgo is not wanting so far as he cane with his assurances and protestations to be a vpright man, and will save himself if promises will doe it, fall how [who] will. The chancellor is firme as yet for any thing I can see. There is no appearance of his going in to the Dalrimples, only he is sparing to name persons, but that shall not be forgotten, goe matters as they will," &c.

191. Lord Chancellor Tweeddale to the Earl of Annandale. London, 23 February 1695. The king has granted to the [Jacobite] Duke of Gordon, three months longer liberty, till the 1st June, but as the warrant cannot be sent down immediately, the king being at Richmond, the writer hopes the Duke will continue his bond a few days to save trouble and disquiet. Secretary Stair had recommended one Clerk," "who made the stamps in the Coinzie House" to be employed for engraving the seals, and the writer desires the Earl to tell him if anything more had been done in the matter.

192. Secretary Johnstone to the Earl of Annandale. London, 2 March 1695. He intimates the king's pleasure to the council "that Mr. Fordyce the priest, be allowed to goe north (his baill continuing) and that he bring with him to my Lord Strathmors such persons and papers as are necessary for clearing with my Lord Aboyn his private affairs, which being done, that the said Fordyce be shipped for beyond seas, and that upon the notice of his landing, my Lord Aboyns confinement be taken off, my Lord Strathmor still continuing baill for his peaceable behaviour."

193. Hans William Bentinck, first Earl of Portland, to the Earl of Annandale [a reply to the Earl's of December 1694, No. 172 *supra*]. Kensington, ce $\frac{4}{14}$ Mars. [1695] Monsieur,—Je ne crois pas que nous soyez surpris de ce que je n'ay pas repondu plustost a celle que vous m'avez fait l'honneur de m'escrire quelques mois passés. Nostre vive douleur pour une si grande perte n'est qu'une trop juste excuse pour mon silence. Le veritable sens que vous avez temoigné tousjours, monsieur, de ce qui c'est passé par si devant, et le zele que vous avez temoigné du depuis, a donné cette impression au roy que vous avez veu qu'il n'a pas hesité a approuver le choix que le conseil avoit faict de vous pour presider dans leurs assemblée. Je vous felicite de cette marque de distinction, et vous asseure que j'en ay de la joye baucoup, et que dans touttes les occasions je seray tres aise de vous pouvoir temoigner combien je suis, monsieur, vostre tres humble et tres obeissant serviteur, Portland."

"M. Lord Annandale."

194. Sir James Ogilvie to the Earl of Annandale. London, 5 March 1695. He has again been with Lord Portland. "I have fullie argued our affairs with him, bot al to litel purpose. He acknouledges it to be truth what we aleadge of some men in the government bot sayes he thinkes not this ane fitt time to press cheanges; this is al as yet is done" The king will not do business this week as the queens funeralls were performed this day, in which the parliament have spared no requisite expense, she being much regretted.

195. Adam Cockburn, Lord Justice Clerk, to the Earl of Annandale. London, 14 March 1694–5. My Lord, Tewsdays votes would let you know what circumstances the Speaker of the house of commons was in. They made him sitt that day, and they not only

directed all their speeches to him, saying, Mr. Speaker, Sir John Trevor is guilty of this and this, and so abused him to his face but made him state the question against himself. Yesterday he sent them a letter excusing his not attendance for he was taken ill, but would waitt of them this day, so they adjourned. This day they mett, where he found it not convenient to come; he sent the maess. So they proceeded to choose a speaker. Two were sett up, Mr. Paul Foley and Sir Thomas Littleton, both good men. The last would a caried it, but unluckily Mr. Whartoun, the controller, told the hous the king recommended him. This lost it and the former caried it by 33 votes. Thus is this parliament come from a violent tory, and otherways no good man to a great whigg. . . . This day the Lord Belhaven is pairted with the York coach. He is well looked on by the king but has got nothing as yet. What hath made him pairt so soon I know not, except it be to prepare members for the parliament."

196. The SAME to the SAME. London, 26 March 1695. Explaining, *inter alia*, that he had been with the king, where he "honestly disburdened" his mind, while the king heard him with patience and seemed not ill satisfied with his plainness. " . . . This day my Lord Stair as the king went in to dinner, desired ane audience; the answer was given—I cannot possibly to-day. It's said his lordship intends for the Baths. Indeed the hous of commons have laid down preparatives for inquiring into undue takeing of mony. They have this day expelled the hous and declared uncapable of ever being a member again one for takeing 20 gueenes. He is a lawyer, and said he had consulted the Orphans Bill; but it was true, he beleeved, they gave him the more that he was chairman of the committee that brought in the bill. This did his busines. What would some of our lawyers say if this inquiry should come amongst us."

197. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. 9th April 1695. . . . Mr. Pringle is now declared. The king shews he has noe reguard to some men since he has not spoke to them of such a thing. . . . M. is courting the justice clerk and others again. He goes to Scotland to be a spye upon all men. The parliament papers will be signed tomorrow. The chancellor and others part upon Twesday. There has been a designe in M. and others to make me president to the parliament in order to hinder your being it. They understand the consequence and import of your being president better it seemes then you doe yourself (conceal this) I mean above and under. All under arts imaginable have been used to hinder it and to keepe the Chancellor from being for it, but the councills choosing you it seemes stuck with the king; for he names you and 500*l.* st. is allowed for a table. Whatever you resolve on, keep your mind to yourself for two reasons; one is that if you will not be it, you should not hinder others by telling that you may be it. The next is, have patience till the chancellor and we be down. More will be known before then. For my own part, I am for quitting when I despair but not otherwise . . . But I doe not despair, and quitting at present, instead of a remedy, were to abandon bussinesse to the other party. As to the other presidentship I know noe more then I wrot to you long agoe. You will come to your purpose in time, if you have patience and advise with your friends. If you mind to act by yourself without either of these, I shall be sorry for it. You are your own master, and your circumstances may support you in your humour but noe circumstances can support you in your reputation, if your friends once yield to the caractere

that your enemies give you of a headstrong unadvisable man." [The M. referred to in this letter, and in others of this date, may be John Lord Murray, afterwards Secretary of State, Earl of Tullibardine and Duke of Athole.]

198. ADAM COCKBURN, LORD JUSTICE CLERK, to the EARL OF ANNANDALE. London, 9 April 1695. Yesterday Mr. Pringle was presented by the chancellor and kissed the kings hand as under secretarie, and his Majestie ordered he should make ready to goe over with him. The Master of Stair had not so much concerne in this choice as once to be ask't if he had any objection."

199. LORD CHANCELLOR TWEEDDALE to the EARL OF ANNANDALE. London, 11 April 1695. He has had a cold, which has delayed his business. He desires the Earl not to delay a proclamation "to putt a stop to the coming in of more clipped money, and to take care of the observance thereof, which may prove all on with a discharge of clipped money, and necessarly return it whence it came, And that it may the more readily do so, it is my opinion that encouradgement should be given to receive the guinees from this at als high a value as they give in the border of England, and if no better can be, als high as they passe here in London, which is at tuentie five shillings; for there is no current money here but clipped money, and the guinees are like to rise higher, so that these who have clipped money will be lesse losers by putting it off for guinees so far above the value."

200. SECRETARY JOHNSTONE to the EARL OF ANNANDALE. 13 April 1695. The Scottish Parliament is to meet on 9th May, and those concerned leave London next week. "M. goes down post on Munday. He can wheedle noe body here where the truth is known. He hopes to succeed better with you. The point is if change be necessary for managing the session. He says not, and we yes. The king it seems doubts, and he is sent to know the truth, and takes the start of others that he may prepossesse people. You know you and others have constantly written to me that changes were necessary, upon which I could give the king noe hopes without them." He desires the Earl, if he is persuaded to change his opinion, to let him know that he may inform the king. Of "M" he again writes: "He had positively denied that he did seen Arran, but I have discovered that they used to meet at a 3rd place, and nou he himself owns that he did it occasionally, as he pretends. . . . If Carstairs give assurances from the king himself, its well, but the arguments against changes befor the parliament are as good against changes after, and the king speaks not to Carstairs. The king says that he will turn out any convicted of taking money. He has spoke before severalls of my collegue [Dalrymple] in such a manner that its evident he thinks to make him quit. The advocat makes great professions, but M. hopes to joine him with the Melvills and Dalrymples." ["Arran," afterwards fourth Duke of Hamilton, had at one time decided Jacobite tendencies, of which also John Lord Murray (his brother-in-law) was suspected.]

201. The SAME to the SAME. 16 April 1695. Giving a relation about the opening of a packet of his letters in the post, with which "M" was mixed up. In a postscript he writes: "You have letters from others as well as me, but we reckon they reckon every thing you say as written by me, and sure they were seeking nothing but mine to you, hoping to find proofs that I made men with you. Stuffe! as if that were my business. Sure tho a servant may [not] alwyse aprove of

his masters methods, he will know that its not his part to oppose them."

202. The SAME to the SAME. 18 April 1695. . . . My Lord Portland has been to take his leave with the Chancellor. M. and all sides went out of town onlie to day. The old laird[1] claims the merit of peacemaking. Men have been so shamelesse as to perswade the king that I would act against him in parliament, because, at their desire, I would not lie to him and give hopes when I had none. Crafoord and others at their desire took that way of it with the king in giving him assurances for the Assembly and so upon what happened lost themselves intirely with him." He wishes that matters may go better in the parliament than he expects. "As to the king, I trust to his understanding that he will allow some oylle to make the lamp burn rather than riske a breach, and he is too nice about the credit of his word to have said what is in that letter to the parliament did he not sooner or later intend it; but the mischief is, heatts will prevent what may be intended after." [On 20 April the Secretary writes condemning the conduct of someone not named [perhaps Dalrymple], and concluding as follows: "If I can discover that my letters have been taken by the kings order, I am firmly resolved to quit upon it. Noe man can condemne me. My own quiet is more to me than this post."]

203. The SAME to the SAME. 23 April 1695. I have yours . . . I perceive writing signifies nothing to you. You cannot by it know the wholle truth and half will not serve you. As for your being president in the parliament or not I have noe more to say. Carstares &c. hoped to get me president to keep out you. Arran is positive that you are not to be it." It is also asserted that instructions will be sent retracting the presidentship and other things, but if that happens the king will be told that the Earl refused, and the Secretary had never asked the post for him. "By all this . . . and many things that cannot be written, any man may judge if it was possible at present, to get you president of the Councill [*sic.* ? Parliament.] I have nothing to reproach my self in point of friendship to you. Since you have to me, I doubt not but you will take measures accordingly. I shall still thanck you for any friendship you have shewn me hitherto. I can accuse you of noe faillure in it nor doe take ill any thing from you that concerns me; but that you doe not trust me, and would by your scolding and impatient way with me make me spoille your businesse again as I did once. As to the Chancellor he was somewhat cold at first in your concerns but he came too at last. But how could he make you a constant president when he was refused even a coquet seall for one. I tel you positively it was not in his power to doe it at this tyme. For your being on the treasury, I doubt that was practicable either, but who could act in it? How often have you written, president or nothing? In a word if the publick goe right and you guard against your own spirit, you may expect any thing. The king will do it himself from the sense he has of your capacity. But others (I mean not my neighbours) will never pardon you two things (which are as the sinne against the Holy Ghost), your too great capacity for bussiness and your unfitness to be a tool. My advice to you (if there be roome for it), is that you consider that you have a family and great stake, and that whatever you doe, doe nothing suddainly nor without the advice and concurrence

[1] This person, who is several times referred to in this correspondence, has not been identified.

of such honest men as you reckon your friends. This you will find for your interest. As to your presiding in parliament, or staying in towr, or being at charges, whether you doe it or not, I thinck should breake noe squares betuixt you and any of your friends. You may follow your own jugement in it, especially since my opinion or any other mans is only that for you to doe so and so were probably best, but which indeed after all may prove worst. I am sorry to despair of ever making you understand this court. M. now having, as he thinks, gained the Chancellor by the old laird, hes been verry plain and owned that he gave at court his opinion (and which he says he is resolved to own in Scotland) that it was not for the kings interest to make any changes, since by them he would lose the greater part of the nation; that in his jugement Lithgo, Tarbat (these he named) and others should be keeped in the government and more of such men brought in to it; that thus the foundation would be enlarged; that upon those mens hearing of it they came and would make a friendship with him; that, however he was still of his own party, but if his own party after six years assurances would not trust him, he could not help it, he must have noe more to doe with them; that he would rather be envied than pitied—all these his verry words. Reconcile this with solemn appealls made to God Almighty this winter before me that he would never have to doe with these men; that he knew them to be knaves, and had been against their coming in, and would never be for their continuing in. It was told him that if more of them must come in, some honest men must be turned out. He said all that should be ordered right enough. So much to a person above exception within these two days, whom my Lord Carmichaell (whom Carstares does the honour to reckon a sure tool) will to my knowledge trust. But all this I knew long agoe. Now, if you be any of those Jacobits (for so he named them) that are to be gained for enlarging the foundation, you are sure to come in. But if the king be in this, he will be I hope, undeceived." At present, however, "Cooks bussinesse" and other English affairs prevent the writer speaking to the king.

204. William Earl of Annandale to Colonel John Hill, Governor of Fort William. Edinburgh, 23 May 1695. "Sir. It hath pleased his Majestie to give a commission under the broad seall to the Marquis of Tweddale, the Earle of Annandale and sevein more to take tryall by what warrands and in what manner the Glenco men were killed in February 1692, and for that end to call for all persons, letters and other writings, that may give any light in it; as also to call and examine witnesses upon oath, that there may be a full discovery and the whole reported to his Majestie. Which commission being now mett I am by them appointed to require yow to come to Edinburgh . . . and that you bring with you all instructions, orders, missive letters or other writings that ye have about that affair, and that yow bring the principalls and not copies, specially these letters, whereof yow have already given copies attested by your hand. As likewayes yow are to bring with yow the persons that you can command or influence who were present at the execution, or who can give any knowledge of the contrivance or mannadgement of that affair, or of any part of it, and who see old Glenco with yow at Fort William in December 1691 or January 1692, and who can witness what past at that tyme. In these things yow are to shew your care and dilligence that the inquiry may be made and dispatched as is expected. Sir Thomas Livingstoun is to write to yow to this purpose and to send Lieutenant Colonell Jackson to command in your absence," &c. (Signed) Annandale. P.

205. HENRY VILLIERS (probably brother of Edward, first Earl of Jersey) to the EARL OF ANNANDALE. London, 25 May 1695. My Lord . . . The captain of Clan-Ronald has been for some time past marryed to my wife's sister Penelope; and as the tyes of affinity are next to those of blood, I hold myselfe thereby oblidged to appear on his behalf, in so far as the same may be consistent with the intrest of the government to which (I humbly presume) no man will question my fidelity. He has been seduced by evil company to doe those things in relation to the government, of which he now heartily repents. He will not be of age (as I'm informed) before July next, so that justly his former actings are mostly imputed to his evill councellours and want of experience. The king has graciously condescended that he should be admitted to kis his Majesties hand in Flanders, where the captain of Clan Ronald and his wife now are. My Lord Marques of Tweedale and Mr. Secretary Johnston have severally upon my request signify'd their inclinations to befriend him. I do not at all question his pardon from the king upon the conditions I propose, which is to give unquestionable security here that he shall not goe into Scotland; and I humbly conceive his continueing is safer for the government than his being anywhere else. His years may plead much on his behalf, together with the proofes he offers of his repentance in living as becometh a peaceable and quiet subject." The writer desires the Earl to use his influence in parliament and council to prevent any harm to the young man's estate, at least till the king's pleasure be specially known. Signed " Henry Villiers."

206. LIEUTENANT-COLONEL JAMES HAMILTON to the EARL OF ANNANDALE, President of Parliament, 5th July 1695, with regard to his relations to the Glencoe massacre. My Lord, My unhappy sircumstances at present I hope will excuse this boldness I take to give your lordship this trouble. I have not the least doubt of the justice and tender consideration that should be shewn me in that my unfortunat affaire before the honorable high court of parliament, but that there runs such a speat and odium cast on me, that I have not bin ingenious in declareing the truth according to my knouledg; in which I call to witness the Almighty God, judge of all mens hearts and actions, that I have from the sincerity of my soul done it both in discource to the secretary and others of my sentiments of that matter, as well as discharged my conscience upon my oath in matter of fact. I likewayes uterly deny, upon the faith of a Christian, haveing any thing to doe with a party, as is alledged, or ever had, more than became me or a person of my station in duety and sivillity, which I had thought I had practiced to all mankinde.

My Lord, the denyell of copyes attested of my papers given in to the comission, notwithstanding your lordships ordered the clearke to doe it, with many other discources proceeding from some members of that comission and the parliament hath given rise to all my jellousyes and feares, and the only occasion of this my absenting. I againe implore the Almighty God to judge of my inocency. I begg your lordships and the members Christian charity, and shall hope for theire judiceous consideration of all, which I pray the Lord direct them in." He desires the Earl's renewed favour that he may have " access to the king, where and to whom I will declare the whole of what I have discourced the secretary, or what I can say." He thus relies on the tender consideration of the Earl and the Parliament, and again craves pardon for his absence. Signed JA. HAMILTON.

207. Lord Chancellor Tweeddale to the Earl of Annandale. Pinkie, 10 October 1695. He had received the Earl's letter of 25 September from Bath and is glad that he and his daughter have profited by the baths. A letter from Secretary Pringle had come to the Lord Advocate by a flying post, accompanied by a servant of "Secretary Stairs's lady," who talked all the way of a letter he carried to set "Lord Broadalbion" [Breadalbane] at liberty. Lord Breadalbane receiving the letter sent for the Advocate and gave him the Secretarys letter telling him there was in it a letter from the king setting him at liberty. The Advocate found such a letter, but also "a particular comand from the king, that if his letter to the counsell for setting Broadalbion at liberty was not according to law, or inconsistant with the present government, that he should return it immediatly to him." The Advocate kept the letter 10 days, meanwhile treating with Breadalbane to find surety to appear at the first sitting of Parliament, thinking thus to warrant the delivery of the letter and the councils setting him free, but he did not prevail with Breadalbane, "who askt the question 'If he could then sitt in counsell and treasury,' to which the advocat could make him no answer." Then four or five days before the meeting of the October council the Advocate wrote to the Chancellor, enclosing copies of the letters, and desiring him to call a council to liberate Breadalbane, to which the Chancellor replied that the Secretary's letter with the enclosure should have been a secret, and he would not further expose it by calling a council, but would go to town to speak with him. "When I came in I found him [the Advocate] perplexed eneugh between ane inclination to deliver the letter and doubting what the counsell would do upon it, not being certain if Broadalbion would offer baill, only said he would never deliver the letter unless baill were offered, hopeing still that it should be offered either by Broadalbion or proposed by some of the counsell." Breadalbane had written "circular letters" to his friends, which caused a very full council, even of those who were not very ready to set him at liberty. There were present "24, beside the Chancellor, my Lord Argile haveing come from the Bishoprick, the Marquess of Douglass from Douglass, my Lord Stairs, the president of the Session, came in a litter from his own house, being neither able to come on horseback or coach. My Lord Argile presented Broadalbions petition quhairof Secretary Johnston hes a double and I suppose, a full account from several hands how the debate went and how the affair was managed. But in short the desire being that my lord advocat might be enquired for the kings letter which Broadalbion had delivered to him, that it being produced he might be set at liberty; the enquiry could not be granted though the question had been put, for as the debate run, it plainly appeared that there was 13 against granting it and 11 only for it; yet a vote was so insisted for, that I was necessitat first to tell them that I could not put such a question so improper to the vote of the board. The Advocat being present and saying he had no such letter from my Lord Broadalbion, but only a letter from Secretary Pringle, I endeavoured to perswade them to let the debate fall and not to press a vote. But when I could not perswade them, it being told me by my Lord Raith that he never knew a negative assumed in the counsell, I was forced to say I could not sitt and hear so improper and so undecent a question put as the enquiry of my Lord Advocat, ane officer of state, about what comands he had from the king, wherein he was to be answerable for what he did; and so rose and left them, 13 going out with me. 11 only stayed behind, who followed immediatly, and I

adjurned the counsell till the 7th of November." He adds that a report had been given in of those ministers who had qualified themselves, numbering 107, &c. Signed "Tweeddale."

208. ADAM COCKBURN OF ORMISTON, JUSTICE CLERK, to the EARL OF ANNANDALE. 21 January 1696. ". . . I cane assure your lordship the news on Sunday of my Lord Murrays being secretaire were very surprising, for on Saturday th' other party were laying five to one he should not be it. Till Sundays night I could never get the Chancellor to beleeve any thing of the Advocats cariadge. I must say the Advocat is the most ingrate man in the world to the Chancellor. This place affoords no matter for a letter; but if I could put some peoples lookes in paper that they have had these two days, you would see some very melancholy, whereas all honest men's hearts are up." . . . In a postscript he adds: "This night we minded your lordship, Yester, the two secretaries, (which is a new drink) at Grahams."

209. LORD CHANCELLOR TWEEDDALE to the EARL OF ANNANDALE. Edinburgh, 28 January 1696. . . . . The House of Commons begins to fall upon our Indian act again, and the patentees here being about to open the books, I apprehend as unseasonably as they were opened at first in England, to enflame the heat it makes already, which I shall do my outmost to stop, not only as to the opening of the books, but as to all further advances in that affair at this time." He thinks he has lost the adherence of the Lord Advocate. "The Earle of Lauderdale arrived here upon Saturday, and my Lord Kintore and Grant are come from the north, so that I hope we shall not want a quorum of councill. But still there go more to England than come from it, and of my coming I am verrie uncertain."

210. ADAM COCKBURN, LORD JUSTICE CLERK, to the EARL OF ANNANDALE. 11 February 1696. He had two letters this post, "one from my Lord Argyle, t'other from the Advocat. The first says, Johnstoun is not farther out of place than he is out the king's favour; that the Chancellor [Tweeddale] is out, and the great seall in commission, Melvill the first, and is to preside in councell. For the President of the Session, Rankillor and Whitlaw may lay thair account by it. Phesdo and Mr. Hugh Dalrymple are in view, but another than either of them may get it; that Commissare Scowgall is to be Lord of the Session. The seconds [Advocate's] letter vindicats himself from haveing any hand in turning out Mr. Johnstoun, but on the contraire he adventured further for him than most men would a done and that it was not the Indian act turned him out. . . . The Chancellors friends viz. Drummellzier, Lord David, and Lady Roxburgh are against his going up, and indeed the rumour is so strong here that he's to be turned out that he is in a great perplexity. I pitied him last night, it brought a severe fitt of the gravell upon him." The writer hopes [Baillie of] Jerviswood will not lose his place, while Sir Patrick Murray "getts no incouragement." The Advocate [Sir James Steuart] had written to Sir John Maxwell [of Pollok], telling him he owed his preferment to the Earl of Portland and Mr. Carstairs. With other items of no great importance.

211. WILLIAM PATERSON, promoter of the Darien Scheme, &c., to the EARL OF ANNANDALE. Edinburgh, 13 August 1696. A council-general of the Company had been held and adjourned until the third Wednesday of November. "Nixt, it seems there is some of our countrymen in and about London very uneasy with the company and with me. I know of noe just occasion I have given, and wonder to see

persons not at all concerned, nor perhaps any way like to be, so very officious; but above all, behinde my backe so unhansomly to load me with aspersions and that in a country where they know that at present I cannot defend myself." They sent down a Mr. Douglas to asperse him and the company too and also the country, whom he treated with all civility in the world, until he became intolerable, and even then the writer bore it patiently. "For my part, altho I have brought my self under much more disadvantagious then severall of those gentlemen are worth, yet still I doe not want an office. But if the company findes any of these gentlemen, that are for setting up themselves capable, they may put them in my place. For were it not far more for the companys good then my own, I should make them rome, and that much to my present advantages. But I finde the company extreamly kinde, and the more they find me wronged and aspersed at this rate. This I must say, that in all the course of my life my reputation was never called so much in question as about this mater, and it is no very easy mater to me, reputation being the only thing I am nicest in; and no doubt but malicious storys of me will fly like wild fire in England at this time, since I in a speactiall maner lay under a national hatred. But patience, I must bear these as I have done all the rest of my troubles." He has no doubt the Earl and his friends will discountenance such malicious stories. [The above letter, and one from ex-Secretary Johnstone, of 14 August 1696, announcing his marriage and his intention of going to Bath, were sent to the Earl at London, where he had received the royal permission to go in July or August, on condition of returning to Scotland in time for the sitting of parliament. He, however, was prevented by private affairs from attending the Scottish Parliament, and was obliged to beg leave of absence, which the king granted with a slight demur.]

212. Sir Thomas Livingstone to the Earl of Annandale. Edinburgh, 8 September 1696. He had been inspecting the bad condition of Stirling and Dumbarton Castles. He thinks that fair things seem to be designed in Parliament, but he regrets the Earls absence. Several flatter themselves with hopes [of the Earl's absence] and others "are migtely aflictet at it." What he says proceeds from sincere friendship, but he thinks it will give advantage to Annandale's enemies and dishearten his friends. "It is talket that the Earle of Breadalbion, and the Vicount of Staires [formerly Secretary] are to be in parlament. Theer freends give it out publickly, that thee desyngne to overturne what is done in the last session; that thee have freends and a party strong anof to effectuat it. But this needs confirmation for I thinck it is a bould atemp." . . . "The Earle of Tilliberen [Secretary] caris migty fear [fair] to every boddy," &c.

213. A News Letter, written by Adam Cockburn of Ormiston to the Earl of Annandale about the proceedings in Parliament. Edinburgh, 29 September 1696. He refers to various minor details, and then goes on to tell how the supply was past [giving us a glimpse of the actual working methods of the Scottish Parliament]. "The first year past unanimously eneugh, but the second mett with great opposition. In the committee, Grant, Colloden, and Whitlaw wrought it throw. In the parliament the Chancellor pres't it and Commissare Monro second him. No men so forward as thire nouveaux convertie. When it came to be votted, though only 3 or 4 of the nobility, (whereof Lauderdale and Ruthven were two) were against it, yet it was lost when it past the barons. But Whitlaw and his burroughs carried it. Whitlaw has lost himself in the esteem of all honest men, except the above named.

For on Fryday to add to all the rest of his behaviour, ther came in two acts which had been read the day or some days before. The first was that no laws should pass the first day they were read, and that all acts and ordinances should be written in mundo ere they be votted. The two branches were promiscously spoke to. At last the first pairt was agreed should be votted, but it was craved the word "acts" should be added. The debait was eager eneugh. The Commissioner spoke much and the Secretarie told plainly, that, if they would not take it as it was, they would get none of it; upon which the Justice Clerk said, Then they needed not ask a vott, for they behooved to take what was given them and they needed ask nothing. Upon which his Grace a little warmly named the Justice Clerk, and repeated a argument he had used for the act. T'other answered and ownd quhat he had said and adheard to it. Then it was moved, Approve of the first part or amend. The Commissioner agreed to the state of the vott. Then he was putt oft. Argyll stated it so, and so it was votted. Melville, Queensberry, Argyll, Raith, the Justice Clerk votted all, Amend; yet it caried Approve by Whitlaw and his followers. The 2nd pairt of the act was craved to be votted nixt. No. Then they proceeded to t'other act, which is ane act rescissory of that noble act past last session against fraudulent conveyances. What was best in that act is now cutt off. The Advocat (who is well and weighty consulted by Marr and Loudoun), Secretarie and Whitlaw debaited stoutly. Fountainhall, Arbruchell, Halcraig (who is in for Cullen, you will understand this is to oblige Carstairs), and Whithill were against them; but this new explanatory act, as they call it, caried; but if all who were not clear had votted, it had caried in the negative above 20. There was warmnes about this act as well as the former. The Advocat and Fountainhall were be the ears togither. I'm informed when the second years supply was before the hous the Lord President made a insinuation as if he was not for it; which so frighted his Grace that he delayed it till nixt day, and had not Argyll brought them over, all that pairty were resolved to have opposed it." The Viscount of Stair "has not yet come in to the parliament, but has been severall times with the Commissioner about it. I doe not hear he has gott any encouragement."

214. WILLIAM PATERSON to the EARL OF ANNANDALE. Edinburgh, 5 October 1696. ". . . I ly under infinite obligations to your lordshipp for your steadfast favour and kindness in vindicating me upon all occasions. Envy usualy attends the prosperity of any man, and my own naturall defects, as well as those of som of my countrymen, will doubtless lay me oppen, as well as others, to the usuall treatment in such cases, and as I have alwayes found, soe I finde now that the best remedy for these things is patience. I hope this Company, like Herculus in the cradle, shall strangle all these snakes, and were it not for dificulty nothing would be great," &c.

WILLIAM FRASER.

Edinburgh, 32, Castle Street,
25th January 1895.

SECOND REPORT ON THE MUNIMENTS OF JOHN JAMES HOPE JOHNSTONE, ESQUIRE, OF ANNANDALE, AT RAEHILLS HOUSE, IN THE COUNTY OF DUMFRIES, BY SIR WILLIAM FRASER, K.C.B.

INTRODUCTION.

The present Report is arranged into two chief Divisions. The first of these contains letters of the Johnstones, Earls of Annandale, which could not be included in the former Report. The second Division consists of an interesting collection of Correspondence of William, 18th Earl of Crawford, brother-in-law of William, first Marquis of Annandale.

Following the order of date we turn to the official letters, which from Nos. 2 to 99 are all, or most of them, addressed to William, Earl and Marquis of Annandale. No. 1 contains a narrative by a prisoner in the Tolbooth of Edinburgh, as to the proceedings of himself and other rebels, about the year 1690. No. 2, in 1692, refers to a tumult at Dumfries. Nos. 3 to 8 are letters from and to Secretary Johnstone, but it is difficult to comment upon each of them, though No. 6 may be mentioned as regards the state of the Queen, and Johnstone's opinion of the Court of King William. The answer to that letter, No. 7, contains the Earl of Annandale's opinion of Queen Mary, who, at his Countess' entreaty, had saved him from prosecution for his share in Sir James Montgomery's plot. "Iff we must loose the best of Queens and the best of women, itt is a heavie judgement." No. 10 is also from Secretary Johnstone, and comments very severely upon the conduct of some presbyterian ministers who had been sent, in 1695, to London. No. 13, written after he left office, shows that Johnstone still took an interest in public affairs. Another letter in November 1697, No. 21, shows that Annandale had then some intention of going abroad. Among the succeeding letters is No. 18, by Andrew Fletcher of Saltoun, in reference to a plea with the laird of Aberlady, which was in dependance before the Court of Session. A good many of the letters following are from Sir Thomas Livingston, Viscount of Teviot, the Commander-in-Chief in Scotland, and contain notices of the state of the Forces in 1697 and 1698. But none of his letters, nor those of John Earl of Tullibardine during the same space, call for special remark (Nos. 16–42).

In No. 43, however, we have from Ex-Secretary Johnstone his opinion about the African [or Darien] Company, which was then (1699) occupying the mind of all Scotsmen. He appears to have no doubt as to the future of the Company, and in a later letter, No. 46, he warns the Earl against anything which implied opposition to the scheme. No. 48, from an unknown writer, gives an interesting account of the state of feeling in England in the same year, which

tended in the end to wreck the company. In No. 50 the Earl of Marchmont, then Chancellor, writes from an official point of view, opposing the address to the King proposed by the Company, a subject continued in Nos. 51 to 53, 58–60 and 62. In Nos. 60 and 61, we have references so early as January 1700 to proposals for a Union between the two countries, but for the reasons there given it was not entertained. In June 1700, the Edinburgh mob expressed their feelings on the subject of the Darien troubles by a serious riot, a graphic and amusing account of which is given in No. 64. No. 66, from Mr. William Vetch, minister of Dumfries, gives some good advice, quaintly expressed, to the Earl of Annandale, who was in that year, 1701, High Commissioner to the Assembly of the Church of Scotland. Mr. Vetch advises the Earl "to take abundance of patienc along with you, and when you speak suggar your words well." The Earl for his services on that occasion was created Marquis of Annandale.

In March 1702, King William died after a brief illness [No. 69], but the Annandale correspondence at the date, and for some time afterwards, is not of great importance. No. 70, however, is a characteristic epistle from the famous Simon Fraser, afterwards Lord Lovat, offering his services to Queen Anne. No. 71, written in 1703 by George Mackenzie, Viscount Tarbat, satirizes the differences between Churchmen then agitating Scotland. In 1705 the Marquis was Secretary of State for a short time and also again Commissioner to the General Assembly. Nos. 72 to 78 refer to that period, No. 77 being an account of certain proceedings in the Scottish Parliament.

The Marquis, however, lost his post of Secretary, and for some time took no share in public affairs, but he played an active part in 1708, which is referred to in a letter to him by Charles, third Earl of Sunderland [No. 79]. Nos. 80 and 81, both addressed to the Queen, set forth the Marquis's grievances and his reasons for declining office. In 1711 he was a third time Commissioner to the General Assembly, but was not satisfied with the posts offered to him [No. 82]; and he retired from public life until the accession of King George I., to whom he had evidently made overtures before Queen Anne's death [No. 83]. Nos. 85 to 99 contain some interesting details as to how the rebellion of 1715 affected Dumfries and its immediate neighbourhood. No. 100 is a letter from Henry Dundas, Secretary of State, afterwards Viscount Melville, to James, third Earl of Hopetoun, in reference to Thomas Paine and his followers, while No. 101 is a long, graphic, and amusing account of the Coronation of King George the Fourth in 1821, written by the Honourable Mary Hope Johnstone to her father, Admiral Sir William Johnstone Hope.

Through the liberality of John James Hope Johnstone, Esq., of Annandale, the owner of the muniments here reported, I have been able to prepare two large quarto volumes, profusely illustrated, of the history of the Johnstones, Earls and Marquises of Annandale. The volumes comprise many charters connected with the early history of Annandale in the time of the Bruces, and also a large portion of the correspondence of the family of Johnstone.

The Second Division of this Report includes the correspondence of William, 18th Earl of Crawford, president of the Parliament and Privy Council of Scotland, and one of the Lords of the Treasury in Scotland, preserved in the Annandale Charter Chest. Though it embraces a shorter term of years, it contains correspondence of much value as illustrating the civil and ecclesiastical history of Scotland consequent on the Revolution of 1688. The nobleman by whom the letters and

other papers now reported on were written, or to whom they were chiefly addressed, was William, 18th Earl of Crawford. He was a presbyterian both by inheritance and conviction, and his religious zeal for that form of church government was combined with a political bias in favour of the Revolution Settlement. It will be noticed that his letters abound much more in quotations from Scripture than those written by other Statesmen of the period; but in this he seems to have been sincere. It is also observable from this Report that Lord Melville and the Rev. Mr. Carstares write in a more religious vein to Crawford than is common in their letters to others.

Before entering upon a detail of this Collection of the Crawford Muniments, it may be convenient to explain briefly the circumstances in which this collection was deposited in the charter room of the first Earl and first Marquis of Annandale instead of the charter room of the Earls of Crawford and Lindsay.

The Lindsays acquired the lands of Crawford about the year 1307, and adopted the designation of Earls of Crawford after the creation of the peerage in the year 1398. The Earls of Crawford held the peerage and the lands of Crawford down to the year 1496, when, owing to an arrangement between John Lindsay, sixth Earl of Crawford, and Archibald Douglas, fifth Earl of Angus, who was popularly known as "Bell the Cat," all the right of the Earl of Crawford in the lands of Crawford was conveyed to Angus. Three acres only of the lands were reserved to the Earl of Crawford for his peerage.[1] After that transaction the Crawford lands, which were previously called Crawford-Lindsay, were called Crawford-Douglas. The baronies of Crawford-Douglas and Crawford John were acquired by purchase from the Douglas-Selkirk family by Sir George Colebrooke, Baronet. He and his successors adopted the territorial designation of Crawford. But the Castle of Crawford, or Tower Lindsay, which was occupied by the Earls of Crawford, has long disappeared, and the site of it is now only recognised in a large grass-covered mound.

The Earls of Crawford continued down to Ludovick, the 16th Earl, who died in the year 1651. His title of Earl was previously forfeited and conferred upon John, 10th Lord Lindsay of the Byres, who thereafter was known as the 17th Earl of Crawford, and was usually designated Earl of Crawford-Lindsay and subscribed his titles as "Crawford-Lindsay."

Sir John Lindsay of the Byres was created a Lord of Parliament in the year 1445, and his successors were generally enrolled in Parliament as the premier barons. Sir William Lindsay, the first Lindsay of the Byres, was a younger son of Sir David Lindsay of Crawford, and flourished in the middle of the 14th century c. 1350. The barony of the Byres is situated in East Lothian. It was sold in 1609 by John, eighth Lord Lindsay, to Sir Thomas Hamilton, who was created Lord Binning, and afterwards Byres was added to his titles. The barony was acquired by the Earl of Hopetoun from the Earl of Haddington, and the Byres now forms part of the East Lothian estates of the present Earl of Hopetoun.

But in addition to the Barony of the Byres, Lord Lindsay had another barony in the county of Fife, called Struthers, which belonged to William of Keith, Marischal of Scotland, and Margaret Fraser his spouse, who, on 20th October 1380, granted a charter to their son, Robert of Keith, of the lands of Auchteruther Struther, now Struthers-Keith.

[1] The Douglas Book, Vol. I., p. xl.; Vol. III., pp. 155-157.

The Marischal, and his wife, granted in excambion the lands of Struthers for those of Dunnottar to William of Lindsay Lord of Byres. The rock and castle of Dunnottar in the parish of that name, thenceforward became the well-known fortress of the Keith family, and Struthers became one of the additional mansions of the Lindsays of the Byres. The Lindsays have held the Struthers as their principal mansion from the date of the excambion for Dunnottar in 1380 to the present day, Lady Gertrude Cochrane, the present owner, being a Lindsay in the female line through a younger brother of William, 18th Earl of Crawford. Part of the old castle of Struthers still stands as a ruin adjacent to the modern castellated mansion of Crawford Priory.[1]

William, 18th Earl of Crawford, whose correspondence is here reported on, married, first, Lady Mary Johnstone, eldest daughter of James, first Earl of Annandale. Her conversion as one of the "court ladies" occurred at a field-preaching held at Duraquhair, near Cupar in Fife, close to Struthers, her own residence. Mr. Welsh, a minister of great reputation and talent, then preached to a congregation of eight thousand persons. His eloquence made such an impression upon her that it was never forgotten.[2]

Through his first marriage Crawford became the son-in-law of James, first Earl of Annandale, and the brother-in-law of William, first Marquis of Annandale. The Marquis succeeded Crawford as President of the Privy Council. These two brothers-in-law apparently occupied successively the same official departments in Edinburgh. From their official as well as from their family relationship, it is probable that the Crawford Correspondence was deposited for safety or convenience in the Annandale charter chests in preference to those of Crawford. William, 18th Earl of Crawford by his first wife had one son, John, Lord Lindsay, who afterwards succeeded him as 19th Earl of Crawford-Lindsay, and also one daughter, Lady Henrietta Lindsay. Both are mentioned in a settlement made by James, first Earl of Annandale, shortly before his death, 1672.[3]

After the death of Lady Mary Johnstone, his first Countess, the Earl of Crawford married, secondly, Lady Henriet Seton, daughter of Charles, second Earl of Dumfermline, and widow of William, fifth Earl of Wigton. In his correspondence Crawford extols the merits of his second Countess, and by her he had at least seven daughters. The birth of two of these daughters, twins, is mentioned in a letter from Crawford to Melville,

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[1] There is preserved at the Priory a relic of antiquity, being the walking-staff of James Sharpe, Archbishop of St. Andrews. The Primate was on his way from Edinburgh to St. Andrews on the fatal 3rd May 1679, when he was murdered at Magus Moor near Struthers. The Archbishop made a passing call at Struthers Castle, and accidentally omitted to take with him his walking-staff, and it has remained in the possession of the family ever since, first at the old Castle of Struthers and afterwards at Crawford Priory. It is a remarkable relic to be preserved in the family of the 18th Earl of Crawford, who is described by Bishop Burnet, in his History, as the most "passionate statesman" under King William for the downfall of the episcopal form of government and the establishment of presbytery.

[2] The Rev. Professor James Durham, of the University of Glasgow, wrote a Book of Sermons upon the 53rd chapter of Isaiah. That work was first published in the year 1682. It was dedicated "To the Right Honourable and truly noble Lord, William Earl of Crawford," by the Editor of the sermons, who was the Rev. John Carstares, father of Principal William Carstares. Mr. John Carstares was a colleague of Professor Durham in the ministry. Lord Lindsay in his "Lives" makes special mention of Durham's sermons and the complimentary dedication to Crawford by Mr. John Carstares. [Lives of the Lindsays, Vol. II., p. 143.]

[3] The Annandale Family Book of the Johnstones, Vol. I., p. ccxlvi.

dated 19th December 1689, in which he says that his wife has been safely delivered of two daughters, "and have presumed to give the name of our Queen to the eldest," and wishes "I could transmit with it that same dutiful respect for her person and government as is claimed to by the father [No. 123 *infra.*] The Earl refers to the same subject in a letter to Carstares, and adds that if the other daughter had been a male he would have given the name of William out of respect to their King and Queen. The second Countess of Crawford had at least two sons to her first husband, the Earl of Wigton; one of these, the young Earl, inclined to Jacobitism. The Earl of Crawford interested himself in the education of his Wigton stepsons, and endeavoured to induce them to conform to the Revolution. In that matter Crawford and Melville appear to have acted jointly, and on 4th December 1690 Crawford intimated to Melville that he was to draw a bill for £200 to be applied for the behoof of his Wigton sons-in-law in the way arranged between the two Earls.[1] A casual expression used by Crawford in sending notice of that remittance to Melville has been employed by Lord Macaulay to expose the poverty of Crawford, but quite unfairly as afterwards explained. In Lord Macaulay's brilliant History of the Revolution of 1688, the distinguished author says that Crawford "had a text of "the Old Testament ready for every occasion. He filled his dispatches "with allusions to Ishmael and Hagar, Hannah and Eli," &c., and, "It "is a circumstance strikingly characteristic of the man . . . that "in all the mass of his writing which has come down to us there is not "a single word indicating that he had ever in his life heard of the New "Testament."[2]

The "mass of writing" to which reference is made appears to be the letters of the Earl of Crawford addressed to the Earl of Melville, first printed in the "Leven and Melville Papers," and reprinted partially in the "Lives of the Lindsays." But the mass of writing recently discovered and included in this Report had not "come down" either to Lord Lindsay for his "Lives," or to Lord Macaulay for his History. If both the noble authors had been still alive they would doubtless have hailed the "mass of writing" now for the first time disclosed as having an important bearing on the writer of them. In these letters there occur many references to Old Testament history, but there is also evidence that Crawford had both heard of and read the New Testament. An instance of this is given [No. 119] where he states what he "thinks "it shall be with Christ's tossed ship in this land while I am a "passenger in it," &c. Another instance also occurs in Crawford's letter to Melville, 8th September 1685, where he refers to his concern about hearing the gospel faithfully preached.[3]

Lord Macaulay further accuses Crawford of poverty and greed, and excuses his greed on account of his poverty. He says: "He was the poorest noble of a poor nobility, and that before the Revolution he was sometimes at a loss for a meal and a suit of clothes."[4] This is a vivid picture drawn by a masterly hand of a sturdy beggar destitute of the two necessaries of life, food and clothing. But it is not a true picture, but a mere caricature of the subject of the description.

In the history of noble and baronial families in Scotland examples could be traced of great vicissitudes and changes. The lucrative office

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[1] Leven and Melville Papers, p. 580.
[2] Macaulay's History, Vol. III., p. 295.
[3] Lives of the Lindsays, Vol. II., pp. 429–430.
[4] History, Vol. III., p. 296.

of Lord High Treasurer of Scotland was generally believed to enrich the holders of it. That high office was long held by John, 17th Earl of Crawford-Lindsay in the 17th century. But owing to the troubles of the times, and accompanying fines and imprisonment, he left his estate greatly embarrassed. His son and successor William, the 18th Earl of Crawford, inherited an estate drowned in debt. He might have repudiated these encumbrances, but he honourably undertook them and discharged the whole in full to the creditors. He did this, as he said, "to the best of fathers." It appears that his act of filial duty encumbered his estates during the greater part of his life. Although sometimes in straitened circumstances, he was always able to retain and reside at his stately Castle of the Struthers, where his gardens and policies had a great charm for his tastes. His correspondence shows how anxious he was in the cultivation of his grounds and gardens with particular kinds of trees, flowers, &c. When matters were sometimes not going smoothly with him in regard to public business, he indicated that he might retire to his gardens, from which he was taken, and in which he had great enjoyment.

A predecessor of the Earl, David the 12th Earl of Crawford, was so reckless and extravagant that he acquired the name of "the prodigal Earl." While a student at the University of St. Andrews he was often left without clothes or food but what his tutor, Mr. Peter Nairn, could procure for him "as his poverty and credit could serve."[1] That Earl's daughter, Lady Jean Lindsay, having run away with a common "Jockey with the horn," or public herald, lived latterly by begging.[2] By a grant under the Privy Seal, 4th June 1663, King Charles the Second provided her to a pension of £100 a year "in consideration of her eminent birth and necessitous condition."

In a separate work reference has been made to the fate of the first Earl of Traquair who had held the high office of Treasurer of Scotland. Having lost his office of Treasurer and his estate of Traquair, he was looked upon by Cromwell with a kind of pity, and he set the Earl at liberty. By that time, however, he had suffered so severely in his fortune that Bishop Burnet says he saw him so low that he wanted bread and was forced to beg, and it was believed that he died of hunger.[3]

These instances, chiefly in the Lindsay family, show the poverty which overtook several of its members. Other instances are given in the Lives of the Lindsays. As King Charles the Second granted succour to Lady Jean Lindsay, who had not been quite exemplary in her life, the chances are that if the case of the 18th Earl of Crawford, the chief of the house, had really been so desperate as represented by Lord Macaulay, King Charles the Second would have had compassion on his poverty and relieved him in the same way as he did a begging member of the house of Lindsay. But the truth is the 18th Earl of Crawford was at no time of his life the beggar for a meal or a suit of clothes, as represented by Lord Macaulay. When he married the eldest daughter of the first Earl of Annandale, he, then Lord Lindsay, obtained a provision for himself and his wife, and on his own father's death he succeeded to the old inheritance of the Struthers. On the occasion of his second marriage with the Countess of Wigton his income must have been increased by participation in her jointure; and it was in connection

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[1] Lives of the Lindsays, Vol. II., p. 50.

[2] Ibid, p. 51.

[3] History of the Earls of Southesk, Vol. I., p. 127; and Bishop Burnet's History of his Own Time, Ed. 1823., Vol. I., p. 40.

with his interest in her two sons, the young Earl of Wigton and his brother, that Crawford made a payment of £200 for their benefit. It was in the letter of Crawford intimating the remittance that he used the expression of the £200 being worth more than he was possessed of at that time, even if he were stripped to the shirt.[1] It is this shirt that the exuberant fancy of Lord Macaulay has converted into a suit of clothes for which he alleged the Earl begged.

In regard to the other expression of begging for a meal, the same exuberant fancy has converted a not uncommon expression of a statesman, when thwarted in his measures, saying that he would rather beg his bread than support measures which were repugnant to him.

As to the other charges made by Lord Macaulay against Crawford, particularly of cruelty; he refers to the torture of Henry Neville Payne, an Englishman, who was actively engaged as a Jacobite agent in plots against King William. The king was led to believe that Payne was such an adroit plotter, and knew so much of his co-plotters, that if he were induced to confess, his evidence would lead to the hanging of a thousand culprits. The king and Melville, as secretary, granted a warrant, signed by them respectively, for the apprehension and examination by torture of Payne. That warrant was transmitted to Crawford as President of the Council, and he had no option but to obey it as a royal order. But he mentions in his report of the examination, in his letter to Melville next day, that it was against his own natural feeling, and that several of the members of Council disapproved of it. Happily it was the last case in Scotland of the application of the torture for the purpose of extorting evidence.

Another historian, contemporary with Lord Macaulay, was the late Mr. John Hill Burton, whose "History of Scotland" is much quoted. He refers to the description by Sir David Lindsay, Lyon Herald, in his "Satire of the Three Estates," of the features of a moss-trooper, when engaged in his special business of lifting horses and cattle away from the Borders in the distant county of Fife. He asks a brother there "Which is the right way to the Struther?" "I wad give baith my coat and bonnet to get my Lord Lindsay's brown Jonet." In a footnote the author, Mr. Burton, explains that the Struther is Anstruther.[2] This is a mistake. East and West Anstruther are two fishing villages on the east coast of Fife, totally separate and distinct from the inland stately mansion of the Struthers of the Lindsays. Mr. Burton presented to the writer a copy of his History, who, in acknowledging it, mentioned as gently as he could the mistake as to the Struthers. Mr. Burton accepted the correction, and asked a continued contribution of any other mistake which might be discovered in his History.

Referring to the Muniments in this division of the Report in order of date, that which appears to be the earliest is No. 180, a draft of an address to King William, but referring to him only as Prince of Orange. The phraseology is obscure, but apparently the Earl of Crawford had been summoned to or wished to attend the conference of Scottish Peers and others who met in London in January 1689, but was so overcome with excitement that he was unable to continue his journey from Scotland. The paper, which is in the Earl's own handwriting, shows his peculiar style; and, above all, it expresses his most earnest desire to uphold the Presbyterian interest. His wish was

[1] Leven and Melville Papers, p. 580.
[2] Burton's History, Vol. IV., . 167.

gratified as he was in due time appointed President of the Parliament, and afterwards had the same post in the Privy Council.

In May 1689 [No. 102 *infra*] the Earl's friend, Lord Melville, also a strong Presbyterian, announced his own appointment as sole Secretary of State for Scotland, and henceforth the two earls were to work together for Presbyterian church government. At the same time [No. 104] Mr. Carstares also wrote in the most friendly terms praising the Earl's moderation. Nos. 105 and 107, letters from Sir James Dalrymple, first Viscount Stair, are particularly interesting, as he appears to have considered Crawford worthy of an explanation of his relations to Church and State, which contains the germ at least of what afterwards appeared in Dalrymple's "Apology" [*Cf.* More's edition of Stair's Institutes]. In No. 112 he expresses his attachment to his "mother church." Nos. 108–110 from Lord Melville in July and August 1689 show his anxiety on the subject of church government then trembling in the balance, and his desire to obtain only what can be obtained in "a cleanly way." A letter of same date [No. 111] from a Banffshire minister, shows the spirit of the Episcopalian ministers against whom proceedings were instituted by the Privy Council, and many were turned out of charges chiefly because of their Jacobite sympathies [*Cf.* Nos. 181, 182]. The Earl of Crawford was credited as the promoter of the severities against the Episcopalians [*Cf.* Nos. 114, 118], but he defends himself [Nos. 120, 130] from the charge [*Cf.* Nos. 128, 129]; and it was probably owing to his official position that the charge was made. He certainly, however, was strongly opposed to the Episcopalian party. An "assembly" of ministers, though not a formal Church Court, met towards the close of 1689 [*Cf.* No. 117], but it was adjourned, much to the grief of Lord Crawford. In No. 122 we find him expressing an anxiety for a reassembling of the Parliament, and in No. 126, about the same time (January 1690), foreboding the possibilities of Episcopal ascendancy. A matter of lighter import, but in which he was much interested, also occupied his mind at the same date, namely, the obtaining good grafts of fruit trees, as to the number, variety, quality of which, and the method of their conveyance he gives very careful directions [Nos. 184, 185].

In No. 131 the Earl details a very minute arrangement which he desires to make with a correspondent as to the safe transmission of news letters. It appears from a letter of Mr. Carstares and Lord Crawford's reply [Nos. 118, 119, also No. 123], that the "black box," as the receptacle of Government despatches was called, was by no means a safe vehicle for letters, and that these were opened, delayed, or never forwarded, so much so that Lord Crawford declares he would rather write by the "common post." In the present case the letters are to be sent by common post, but with all manner of precautions. It may here be noted that the writer of an intercepted letter [No. 143] charges Lord Crawford himself with tampering with the Scottish post office. In Nos. 134, 135, 138, 140, 141, and 186 we have letters from Crawford to Melville and others as to the expected Parliament, and in some of these letters the Earl expresses his Presbyterian views very freely, and gives his opinion as to the various parties in Church and State. The letters for the first half of 1690 are not numerous, but in one, No. 144, we have Lord Melville's views of affairs at a critical period, and his desire for moderation in dealing with all debated matters. As is well known, he was High Commissioner to the Parliament of 1690 which established presbytery as the form of church

government most agreeable to Scotland [*Cf. also* No. 188, the recommendations of a meeting of ministers and others as to stipends, &c., which were embodied in an Act of this Parliament]. In No. 148 we have a copy of the instructions to the Commissioner to the first Assembly in 1690. No. 155 contains the draft of another long letter to the King on ecclesiastical and other questions. Another follows [No. 158], dated 6th January 1691, in which he asserts, in defence of himself and in reference to the charge of severity against the clergy, "I never concurred to the throwing out any of the late clergy except when their obstinat disaffection to your Majesties government was both visible and dangerous." One Act obtained by the more zealous Presbyterians was that [No. 190] appointing a Commission to visit the four universities and test the professors by requiring them to accept the new form of church government. Lord Crawford was President of the Commission, and the Acts and other papers briefly noted in Nos. 191 to 214 of this Report attest its vigour in "purging" the three southern universities, at least, from Episcopalianism. As appears from No. 193, they extended their operations to the parish schools also, especially in Fifeshire. The latest, No. 214, if not exaggerated in its details, is a curious revelation of the laxity of university discipline in Aberdeen. One result of this Commission was to set free from the Principalship of Edinburgh University, Dr. Alexander Monro [No. 195], who went to London [No. 151 (4)].

The letters and papers for 1691 are more secular in their character, but not less interesting. The ill success of the Assembly's committee for visitation of kirks in the city of Aberdeen is detailed in Nos. 217, 218. So great was the opposition that the commissioners did not again attempt a visit to the northern city for three years, notwithstanding the petition to the Assembly of 1691 [No. 236] which, however, can scarcely have represented the true facts of the case.

In No. 159, a letter from Sir William Bruce of Kinross, and relative papers [Nos. 219, 223], illustrate very sufficiently the embittered relations between parties, which prevailed for some years and rendered the planting and settling of churches difficult. The papers show the views of both sides and need not be commented on here. *See also* Nos. 225 and 234 for incidents of a similar character.

Perhaps the main features of the correspondence of 1691 here reported on are the letters from the Highlands, especially those from Colonel Hill. As indicated in No. 156, and from other sources, the Colonel was a Presbyterian, and perhaps on that account wrote more freely to Lord Crawford. In any case a letter (writer not identified) addressed to Sir Thomas Livingstone [No. 157] attributes the unruly state of matters in the Highlands to episcopal incendiaries. No. 160, from James Stewart (apparently an officer at Fort William), written from Glasgow, 3rd June 1691, comments on Hill's efforts to pacify his district and obtain submission to the Government. The Camerons, he says, have yielded, except Lochiel, who, however, is giving plain proofs that he has no immediate hostile intentions. The Stuarts of Appin and "some of the McDonalds of Glenkoe" are also named. One thing the writer specially pleads for is a supply of religious ordinances for the garrison. About the same time Colonel Hill writes giving information as to some movements of the rebels in landing provisions at Ellandonan Castle, and gives the first indication of his views as to Lord Breadalbane's plans. "I should have had much more of the people under oath had not this provision ship and my Lord Broadalbins designe hindred, which I wish may doe good, but suspect more hurt

than good from it; for my part, hereafter, if I live to have geese, I'le set the fox to keepe them." In No. 163 he gives further intelligence as to the provision ship. As is well known, Lord Breadalbane's proposals were that a pardon and 12,000*l.* should be given to those Highlanders still in arms, and that pensions should be paid to the chiefs for furnishing a certain number of clansmen for military service. King William and his Scottish adviser, Mr. Carstares, appear to have approved the plan, but the Highland chiefs did not trust Breadalbane, and one unhappy result was the massacre of Glencoe.

Colonel Hill's desire for the pacification of the Highlands was sincere, and his methods so far successful, while he appears to have been trusted by the chiefs. Two letters [Nos. 169 and 171] from Lieutenant-Colonel James Hamilton (afterwards implicated in the Glencoe tragedy) are interesting in this connection, as they seem to breathe a different spirit from his superior's letters. In Nos. 170, 172–174, we have Colonel Hill stating to Lord Crawford and to the Earl of Breadalbane himself his opinion on the latter's negotiations, and supplying some reasons for their failure and also for his own opposition to them. These letters come down to the end of the year 1691.

There is a complete blank in the correspondence for about two years. Lord Crawford having retired into private life, and when it does resume the letters are of less general importance.

Three letters [Nos. 175 to 177] from Secretary Johnstone at this period call for no special remark, but in the earlier he mentions the appointment of Lord Lindsay to the command of a regiment, and in the latest he praises the conduct of the Assembly. In No. 179 Lord Lindsay mentions his father's death, which occurred on 6th March 1698.

DIVISION I.—State and Official Letters chiefly to and from William Earl and first Marquis of Annandale. 1690–1715.

1. A Narrative by a prisoner in the Tolbooth of Edinburgh as to the proceedings of the Highlanders and other rebels about 1690:—"When Lieutenant Colonell Grame went to the Hillands from the Milltoun of Abercarnie, he hade with him Captain Dobi, Lourance Drumund, David Graem, Andrew Simson, Stephen Als, a servant of the minister of Minidies, Duncan McGruer, William Roy, elder and younger, John Græme, George Malcom, William Reoch, Peter Græm, naturall son to James Græme, aduocat, Arthur McNeill and William Borthick, servants to Lieut. Colonell Græme.

"We joyned with Canon at the foot of Glenlyon. He had with him Clawers brother, Lieut. Colonell Græm off Buchwaple, Newtoun Edmistoun, the Laird off McNachtan, Captain Thomas Dunbarr, Ballaichen and his brother and ther two sons, Strowan Robertson, Mr. Charles and Mr. George Edwards, Mr. James Leyell, Lieut. Colonell Fountain, Captain Maxwell, elder and younger, Kindroggen in Stra-earle and his servants, Major Duncan Men[z]ies, Collin Campbell, Dindruin a Fife gentleman, Captain Murray, to a by name called Cockie-Murray, on Mr. Menies who lives about Edinburgh, Gourdie off Kinloch who lives near to Dunkell, Spoutwalls at Scoon, Peter Philp who lives at Forggen, on who was called the Barron, ane Atholl man, on Mr. Lang

who lives at Edenburgh, on Robert Martin ther, Mr. David Drumund, let chaplain to my Lord Madertie, on James Drumund, son to Copnalindies chamb[er]lane, on Heckfoord, ane Englishman, Mr. Boyes, ane Irishman. From this we marched to the south side of Loch Tay, and from thence to Buchwhidder and gathered about three hundred men with the McGregors, and cam doun to my Lord Abruchels land, on Alexander McDonald comanded the foot being guided by the McGregors and Newtoun Edmistoun and tooke away a spreath of cowes and sheep, and caused som houses to be set on fire as they returned. The Lard of Lenni met Canon with bread and cheis and a botle of brandie, and made all the officers eat and drink. From thence we marched to the Bridge of Turk, from thence to Minteeth, and ther we cam to the number of six or seven hunder foot and thirti four hors, being guided from thence to my Lord Cardress land by Docherie Græm and his son, Newtoun Edmistoun, and Græme of Buchaple. As we marched by Garturr befor the sun was up, the lady and ane servant woman of hers brought out meat and drink to Canon and the rest of the officers. The Hillandmen tooke away a spreath of hors, cowes and sheep, and plowndered all the tenents houses and set a great many houses on fire. As we returned from the perrsute of the dragouns, I heard Spoutwalls abou designed say that he hade killed on of the dragouns, and I saw a hors that he hade brought back with him; so we went away with the spreath to the pass of Aberfoyle aboue Minteeth. The sam night the Hillandmen went away with the spreath. On the morrow we marched to Kilmahogg. The same day Buchan joyned us with the figur of three troups of hors, on off which belonged to himse[l]f, the second to the Earle of Dumferling, the third to my Lord Frendret. The men of not[e] that wer ther are these, Livtenant Colonell Ratray, Livt. Colonell Oliphant, my Lord Dunkell, Leth[i]ntie, Captain Straton, a son of the Laird of Lowristouns, Captain Scot, Captain Cameron, Captain Orchard, three French men, George and Peter Ratrays. From Killmahogg we tooke our journey to Braemarr. As we marched by the garrison of Finlarigg, halfe a mile besouth it, at the foot of the hill ther lives a gentleman,—what he is, the governour of the garison can tell,—he brought out a great many botles of eall and brandie and treated all the officers. So we marched through Atholl but not a man joyned us till we cam to Braemarr; ther Inrey and his brother gathered about eight hunder men with the Cromarr men. Bendallach joyn'd us below the Castell of Abergeldie with ten or twelv hors. As we marched from Cromarr to Don-side the Laird of Hallhead Gordon joyned us: ther we pursued the Master of Forbess down throught the Garioch. As we marched by Pettoderi he treated the officers at his house. The Laird off Buchoyn desired Buchan to take a glass of wine with him; but he refused, and called him a bougger becaus he did not rise to assist us. That night I heard that my lord or my lady Eroll had writen to Buchan; what it was I cannot tell. At the bridge of Dee, Sir Peter Frazer cam in with about twelf or fourteen horsmen. On the morrow my Lord Inerury cam with six or sevin horsmen, the Laird of Meldrum, Fedret. Sir William Keith let Laird of Ludwharn and the present lard of Ludwharn, Petfoddells Menies. As we cam through the Merns, ther cam in the sherreff of the Merns and his brother let gouernour of Dinnoter, Baggertie, the Laird of Ardess, the Lard of Minboda, the Laird off Glenbervie. At Fetercairn my Lord Frazer cam in with about eighteen hors; from thence we cam to Catieshillock wher I heard that Craiggmile was com to the camp. From thence we marched to Auchloyn, from thence to Cromarr, thence to Stredon, there Glenbucket

the Laird off Belldornie and the Laird Dauidstoun, who lives all three near to Cabberoch [Cabrach?] from thence to Stradown, thence to Knok-camoch, thence to Forress. Ther my Lord Down cam into the camp and I saw other two men riding with him, as we marched from Forress to Nairn, the one as I heard was my Lord Duffess and the other Killraak. From thence to within two miles of Innerness; ther was on Borlom, who lives above Innerness, who cam in to us. From thence to Orchard, ten miles aboue Innerness. The minister of that place cam in to the camp and told which way we should go to Glenmoris, and the Laird of Glenmoris stayed two dayes with us and went away. Glengerrie stayed two dayes and went away. When we was in Lochabber I heard that my Lord Seforth had writen to Buchan that he wold joyn him as soon as he could. The time that we was in Lochabber they did what they could to perswad the clans to rise with them, and they refused doun right. Locheall and Cappoch stayed two dayes with us and went ther way. From Lochaber to Lochtereagg, from thence to Auchallander in my Lord Bredalbins land, from thence to Glendocher,—the Laird of Lochdocher, my Lord Bredalbins brother, stayed two dayes with us and the Laird of Apen stayed two nights. From thence to Buchwhidder, wher I tooke the opertunity, with other four, and stoll away in the night with hors and arms, and cam to my masters fathers. The week after I cam from the Hillands, Lieut-Colonell Græme cam down with a parti of hors to take me. It being the time of super I was serwing at the table, and he cam in befor I was awar and sayes to me, You base rascall, why did ye desert the Kings armie, and without more words he taks his pistolls and strok me twice on the head, and called to his men that they should take me forth and shot me: and if it had [not] been for the lady and her daughters, they had certainly murthered me. And he told when he went away that I should not brook my life. The aboue named William Roy, younger, deserted King Williams serwice from Pearth to Glenamond, and stayed with a friend of his for a space, and joyned Lieut.-Colonell Peter Græme as he went to the Hillands. Ther was on George Drumund, a naturall [son] of the Laird of Petkellenies deserted from my Lord Cardress dragowns, and joyned with the McGregors (when we was in Lochabber) and joyned with them at the ploundering of my Lord Rollos land. Ther was another, as I heard, deserted from the Master of Forbess, called Mackdougall. Thes are all the deserters. Ther are allso on Captain Ramsey, and on Lieutenant Ramsey who was Lieutenant in Colier's Regement in Holland, who cam over for recruits, and George Buchan, a newoy off Major Generall Buchans. Thes are all the names and titles off the aboue designed gentlemen, so farr as my memorie can reveall to me at present, as witness my hand writ and subscription, within the tollbooth off Edinburgh, the twentie fift of October 1^{m} vj^{c} nyntie yeares." "WILL. REOCH."

2. LETTER. Mr. Archibald Sinclair to [the Earl of Annandale] referring to riot at Dumfries. Edinburgh, 23 February 1692. "My Lord, I had nothing to write the last post but the tumult att Dumfries, quhich I hear the Chancellor gave account of by a flieng pacquet. These people are as mad as ever and want not incendiaries to foment their distemper, the symptoms wherof may perhaps break out when the weather turns more seasonable. Leask went of yesterday in coach, and Dr. Canaries took post with Mr. Kenneth in the afternoon If the Doctor had not come down the busines of the conformists had certainly gone to ruine, for Mr. Leask begun to quite his ground on the Presidents fair insinuations. I shall not take upon me to question his honesty,

but his head seems too narrow for so weighty ane affair. His constituents have laid strict and peremptory commands on him not to yeild one point further than what is agreed to," &c. [With this letter is another, dated London, 27 February 1692, from Secretary Dalrymple to Sir Patrick Murray, apparently relating to the same thing. ". . . What you insinuat not to prosecut too warmly the madnes of thes people, I do aggry with yow. They ar fitter for Bedlam then a scaffold. Thats not the way of treating persuaded bodys, bot they must be keeped from doin themselfs and the nation harm by ther rableing and protestations," &c.]

3. LETTER. James Johnstone, Secretary of State, to the Earl of Annandale. 22 March 1694. ". . . If the Assembly succeed, I hope we shall have changes, provided your uncle leave us. . . . I am sensible enough of the state of things, and doe not at all think your resolution of going to the countrey strange, if matters continue as they are. . . . the good changes here will certainly in time put our affairs right, I have noe doubt of it; but at first they wrong them, because till we shall be quit out of the dread of the high church party, the more we anger them here, the more we please them elsewhere. The Duke in his fitts has done me all the hurt that it is in his power to doe me, and when he has done all, he is willing to be friends. Nothing has been said to him of me by others, nor thought by himself, which he has not brought forth against me; not to me, he knows I ansuer, but to others, and all because I would not be for the meiting of the Parliament and more cesse. I doe not know that after all he has done me any great hurt. He is only successful in doing himself and bussiness hurt. However, I would rather be a porter then live such another winter with him; nor, were it to save my life, will ever I again be at the pains I have been at to oblige him, . . . to be true to things, and indeed to himself," &c.

4. The SAME to the SAME. 29 March [1694]. . . . Your uncle has now taken off the mask, as you see by the Instructions to the Assembly; and yesterday he joined with the Master of Stairs before the King in arraigning his own acts, and there was a great sputter about the horses and armes of Nonjurants. He said none of his ploughs could goe and the west countrey breed of horses would be lost &c., and he and my collegue were mighty zealous in the matter of the oaths for fyning &c. and would have them put to all heritors, which was delayed upon a word I said. The Duke reckons himself broke with the Presbiterians, and so gos in to the designe of a new Parliament. He looses himself here with all sorts of people, friends as well as enemies." He adds that the Duke [of Hamilton] is to leave London shortly. He also thinks that Annandale's going to the country may have a good effect. [On the same day, the Secretary wrote to the Countess of Annandale, promising that her husband should have preferment as soon as possible.]

5. The SAME to the SAME. 27 April [1694?]. . . . "My sister has written to me about an election in your hands. I know you are pressed for one who is not to be thought on. I know him well. I press you for noe body. I am sure you can chuse better then I, but if my writing to you will deliver you from the importunity of others, then, pray, consider Sir G. Eliot, Mr. William Baillie, James Baillie, Bayllie Meinzies, or whom you will, Dirleton if you please; but I wish you could pitch on a speaking active man. If the first be not shye to dip,

and that you like him he could be verry usefull, but I tell you I writ only to give you a handle to shun others. . . . . I am now delivered of the D[uke] of Leeds who has been heavier upon me these three years then all England besides. Farewell."

6. The SAME to the SAME. 25 December [1694]. "The Queen's condition is such that you can expect noe answer. The king has cried these 2 days; never man shewed such concerne. If it be the measles, as they now hope, it will be quickly over. I own you have reason to be concerned at the king's way. But I must tell you, once for all, that if you cannot bear with mortifications, you can have nothing to doe with this Court for you will meet with them over and over again. They are my dayly bread. I said all at first that you say still, and its like he knows, or will be soon convinced that there is noe right in the case nor is Melvill's credit (which is little or none) at bottom. But it seems at present he will declare himself as little as he can. What is done he will not hinder, but will neither approve nor disapprove till he see further. . . . He has his rules and often verry hidden ones, if you can comply with them, you can serve him; if not, you can not, he will not part with them. You see he is to chuse which hand to turne to. . . . I alwyse thought on getting the Justice Clerk and you up and to prevent church matters, and were I in your place, I should have been glad of it. And upon the matter, points of honour apart, any king who is in suspens what measure to take may keep his servants from anticipating his measures. To tel him what strugle you have in councill were to throw down the weight that your nomination has given with him; so impossible it is for you at such a distance to judge of matters here. In a word, if you be called up, there will be noe necessity for an approving letter . . . and then you will know the king, and he you, and you will know matters at bottom, and then you may take your resolution as to the future." In conclusion, he refers to the king's intentions as to Sir Thomas Livingstone. "The king says that tho Sir Thomas goe for some moneths in the summer, he shall be back in the winter, and he is to continue commander-in chief. To tel you the truth, unlesse Sir Thomas serve in Flanders, he will sinck in the king's opinion."

7. DRAFT LETTER. The Earl of Annandale to [Secretary Johnstone] n. d. circa December 1694. "Tho I had busness to give you, I confess I am nott capable att thiss tyme to woritte off itt, for I am struck and confounded with the sad and deplorable account off the Queen's condition. Iff wee must loose the best off Queens and the best of women, itt is a heavie judgement. And, pray God, we may take warning, we have been trysted with singular and greatt providences, and I fear have nott considered them as wee ought; and when there is annie mixture in our cupp, wee may justlie say wee deserve itt, but I cannott persuade my selfe off the worst, and must still hope tho with greatt feare and impatience, for iff we loose hir the consequences are dreadfull and inconceavable. Thiss is a subject soe large and gives such variettie off thoghts that I will nott offer to woritte off itt, onlie give me leave to say that itt were fitt there were som body heare with a character to oun the king's busness in soe critticall a juncture. I sincerelie upon my oath tell you I mean nott thiss for my selfe nor upon my own account; itt iss that the king and the nations busness may be weell [*sic*], and annie sincere and deserving man employed, I shall bee weell pleased and assisstant in my station. I need nott minde you haist good newes to us, iff itt shall please God."

8. Secretary Johnstone to the Earl of Annandale. 3 January [1695]. The letter is unimportant, but in a postscript he writes: "I know noe ground to think that Ranquillor will be my collegue, lesse or more. I wrot once to one to know his caractere in case of such a thing; but that was in case I desired it, which I never so much as intimated; is he in with the Dalrymples?"

9. Lord Yester, afterwards second Marquis of Tweeddale, to the Earl of Annandale. 8th January 1695, from London. He would have written sooner, but "the sad welcome we got at our arrivall here, will, I hope, in part excuse it, it being the only thing I could then have made the subject of a letter; all persons thoughts being wholly taken up therewith, as you may easily imagine; and I likt not to be the first to give you notice of a misfortune, I knew could not be but most sensible to you, as one who would consider it ane irrepairable loss to thes kingdoms." In regard to another matter he had been sent by his father to the Secretary, for though the king had not yet admitted any one, "yet your lordship knows where there is a great deall to be done, thos concernd must have theire thoughts upon it how to take theire measure; and it is some advantage that there is time for it, which was never more needfull than now, it being upon what hes occurd impossible yett to judge what byass matters here will take, which, what ever it be, will undoubtedly have som influence on our affairs, and therfor would be understood befor they cane be entered upon." After some compliments he adds: "We have a club meetts now and then at the Romer in Channell-roe, where yours at Grahams is not forgott, and the Old Laird hes as considerable a part as he used to have in it and acts full as well. If he were by me he would furnish me with som thing to say for him better then I cane; therfor not to spoyle his complyment, I had best leave it to himself and give you no more trouble," &c.

Signed "Yester."

10. Secretary Johnstone to the Earl of Annandale. 12 January 1695. The first part of the letter narrates the presentation of the Council's letter and the Chancellor's interview with the king [referred to at date in the former Report], and after further reference to Annandale's nomination, &c. the writer proceeds:—"The King said that he would enter upon our bussinesse so soon as he could bring himself to businesse. The ministers here must choose their f's or k's; they cannot shun. Mr. Cumin, I find, grew jealous at first and has been on his guard and it seemes will be wise. Its like too, he is not on the secret. The others in short either tel the dissenters here the truth of some men or not, and they are either for turning out those men or not. If the *not* be the case, then they betray the cause they came for; if they be for the *yea*, as they say they are, and as they ought to be, then, as I have told them, they are betraying those men; for to be with men every day, breaking their bread, making and returning their visits, accepting their confidence, concerting with them, giving them advices, all which they own in effect to me, and yet to be endeavouring to ruine such men and to be telling the truth of them, is dounright treachery; we in the world you know reckon it so. This is told them, but either they doe not nor will not understand it; and there is much repentance and apologies, but noe amendement. My collegue, I say, runs not to their chamber for nothing. He tells them that he will doe any thing they will, and complains mightily that English bishops should medle; but to the bishops, he says, that he has gained them to consent to a new settlement, and indeed makes them the strangest wretches that ever

were heard of. He has gained one point in ruining their reputation. For Mr. Carstares, I thought at least he had more sense; the Chancellor and all others have taken the allarme. Dunlop talks to me like a changeling; I know not whether to be angry or to pity him. Speak to Mr. Eirskin and some of the discreetest of their constituents, that if they doe not authorize this, they will think on remedies and speedy ones too. If they doe authorize it, I will medle noe more in their concerns, —farwell.

On a separate slip of paper, the writer adds: "12 January 12 at night. Since I wrot, about 3 hours agoe, I am told the ministers are resolved to be wiser; so delay at least till the next post the use of my letter, except in discoursing to some of the discreetest of the ministry as from yourself; and, pray, thancke the Chancellor; he has been zealous and true to you. You see there wanted only time and opportunity, —farewell."

11. William twelfth Lord Ross, to the Earl of Annandale. London, 26 January [1695]. He believes the king is to return to Kensington and will be accessible to all. "So soon as any bussiness is done heir, I shal acquant you. We are tuixt hopes and fears but mor of hopes. We expect our freinds on the road nixt week; I hope they shal come in good time. We often mind your health in good wine, and last week at the Secretairs we took a great load, wher ye wer kindly minded. Honest Whitlau is not forgot among us, and I hope ere we part from this he shal find it," &c. (Signed) "Rosse."

12. Lord Chancellor Tweeddale to the Earl of Annandale. London, February 2nd, 1695. ". . . The Justice Clerk, Sir James Ogilvie and Sir John Maxwell arrived here on Wednesday night and kissed the Kings hands on Friday, and he was pleased to ask them of their journey, which they said they made in thirteen travelling dayes, and that the way was verry goode," &c. (Signed) "Tweeddale."

13. Ex-Secretary Johnstone[1] to the Earl of Annandale. London, 18 May 1696. ". . . . The English laughed so at the rumour of Melvill's being Chancellor that he was it not. There is still a danger to have him president of the Councill, and if he be willing to be that, Queensberry will be Privy Seall, and Argyle will have the Guards. Thus matters they thinck will be ballanced betwixt the two parties, Polwart being Chancellor, and Whitelaw to be President of the Session, as they hope. This they thinck will unite both parties in the next Session of Parliament. The Secretaries doe not at all trust me, nor doe I thrust myself upon them . . . The first of them would have you out, but it is not the Kings way for the sake of his own jugement to put one in tooday and out toomorrow. The parliament will they hope meet in September, and my Lord Murray will be Commissioner. The fate of the managers and of Scotch bussiness for some tyme will depend upon the successe of the session; they would have a cesse for some years. . . . If any sure bearer be coming to the Baths or to London, where they will find my brother, pray, let me know the present disposition of people with relation to the next parliament. . . . As to myself I am about getting leggs of my own to stand on without the Court. The lesse a man needs value them, they will value him the more. I leave this place in June, but I will be back here all

[1] Although taking some interest in affairs, Mr. Johnstone was out of office at this date.

winter. The king knows I will not goe abroad. If I once have footing here, boulls will roll strangely but I shall be in a capacity of being of some use to you and other friends, which you will find me verry fond of in due tyme; but to be nibling, when I can doe nothing to purpose, were mean and ridiculous. I wish you would keep a short journall of what passes as to publict maters and how men change or hold firme. Farewell."

14. The SAME to the SAME. Bath, 22 August 1696. ". . . I will be backe at Ilinton [Islington] in the beginning of September, and before that we shall see further and be more able to resolve on what you advise with relation to Scotland, where I perceive the managers are more affrayed then they need be. Its strange, if considering their present disposition, they doe not oppresse both you and my Lord Whitlaw with promises which they will never performe. I know somewhat of their reall intentions as to both, if wine may be trusted, which ordinarly tells truth; tho I own, when sober they pretend other things. . . . I doubt not but if you have patience and doe nothing to lessen your interest in the country, the Court will need you, and then they will doe you justice; but at present and during this sett we are now under, if they make you advances, its only grimais, for they thincke that you and they are incompatible, as I believe you are," &c. (Initialed) "J. J."

15. THOMAS LIVINGSTONE, VISCOUNT OF TEVIOT, to the EARL OF ANNANDALE. London, 8 May 1697. Chiefly as to his peerage and private affairs. ". . . . Nixt weeck and I beeleve in the beginning I go for Flanders. Mr. Jhonston, my Lord Strachtnaver and I are just now a drincking your Lordships helth. We have no great nieus, but it is lycke quickly some great desyngne as said is the Frens have opon Flander will bracke out, having made a fint to bring the greattest part of theer forsis to the Ryne, who of a suddain apear in Flanders; and I fear befoor we kan be reddy, will besiedge some plasse, witchs wil make some alteration in affaires. I shal sumtymis importune your lordship with the lycke of this sort of scribbels, and remain my dear lord, your lordships most humble and faithful servent." (Signed) "Teviott." [There are a considerable number of letters from this nobleman, but they contain so much of his own private affairs and so little historical matter that very few extracts can be given.]

16. The SAME to the SAME. London, October 30, 1697. [He had been to Flanders in the interval.] He had received two letters from the Earl, by Lieutenant-Colonel Forbes and Colonel Magill, but missed a third. "Sutch of the antient nobility, my freends, as are heer, doe not feal to use means so as another may come in my plasse to comand in Scotland. But I defey them; for was it for no other reason but to oppose theer ill desynges, I shal returne to Scotlant again. The[y] have been with Sir David Coljaer, assuring him that if he pleased thee would procure it to him and make it both advantagius and easi to him. I ame satisfyed there bee no answer from the earle, until we see what suay maters take and hoe bussinis wil be setlet. The king heath said he wil go to Scotlant to be crouned, and none that I kno doubt his going. Your lordship knoos befoor nou that thrie regiments in Scotlant are brocke, in witchs I have had no hand in, for it was done befoor I see the king. Some people are under a great recentment and beleeve it my doing." The king's reason for breaking these three regiments is to make room for two battalions of Guards and Colonel Row's regiment of fusiliers. "I can say nothing as to bussiniss. This wynde will

certainly bring the king. I kan no ways be of ane opinion your lordship should thinck of going abroad befoor bussinis are setlet, for that was looking from it and necessitating the king to give the management of his affaires in thoes peoples hands. Theer wil be tyme when we see somwhat clearer, for I doe not doubt of alterations, and patiens overcoms menny difficultys."

17. The SAME to the SAME. London, 4 November 1697. ". . . The king is not compt as yit. Some thincks he may stay some days longer opon the account that some of the Protestant princes have not signed the peace, when it was done betwixt the Emperor and the king of Frans, opon the account of restriction that heath been put opon theer freedom of religion, witchs formerly they injoid. This is the Emperors doeing and a jesuitical inventione," &c.

18. ANDREW FLETCHER [OF SALTON] to [the EARL OF ANNANDALE]. London, 11 November 1697. Referring to his process of count and reckoning with Aberlady, before the Court of Session, and explaining why his accounts are "not so fully instructed as in law they ought," which "must be imputed to the losse of my papers during my forfaulture. For even in my frequent absence abroad, ther was not the least omission in all these affairs," his papers being then in the care of "Mr. W. Fletcher, a man very well known for his ability and honesty. . . . But during the late disorders which wer as hard upon me as most men, not only several instructions but even Mr. W. Fletchers compt book was lost. . . . Now it wer very hard if in such a case, no reguard should be had to equity, or that your lordships should not supply by your authority what is defective wher ther is probable ground for it. It is all I plead from the justice of the nation to be used with equity in difficultys, which have been consequences of my having suffered for it. Since I shal not have the happyness to see you till it be in great company, pray, remember me some times at your club at Gremes, as my Lord Teviot and I do you hier," &c. (Signed) "A. Fletcher."

19. The VISCOUNT OF TEVIOT to the EARL OF ANNANDALE. London, 19 November 1697. ". . . Our antient nobility heer are doeing what thee can to represent your lordship and others as so oneasi, that it is not [possible] to get the kings bussinis in every particular done, because of your standing in the way of it. I ame lyckways ane eysoor to them, and mutch pains is taken to have me remouved. The gentelman who learnet his eloquence and wisdom at the Scots barre is theer champion and to breack the yce first. What this wil worck I kno not . . . but I judge thee wil fynde themselfs mistaken. . . . . At the kings entering the Citi of London, theer weare great and wonderful doings, sutch as I did not imagin could have been; and at the plassing or rancking the nobilitys coatches, the Earle of Tillibardin having spocke to the marshal to have the rancke befoor the worthy Earle of Argyle, the latter disputet it so far as the marshal caried them both befoor the king, who decyded it in favours of my Lord Tillibardyn, with whom I was in coatch and see all the fray. The rest of that day ended peacably for as muts [as] I kno. . . . It seems the noice heath been at Edenburg that I was slain, and as I heer by Jedbrug; but if I live til that bee, I thinck I shal not dey suddainly," &c.

20. JOHN MURRAY, EARL OF TULLIBARDINE, SECRETARY OF STATE, to the EARL OF ANNANDALE. Kensington, 22 November 1697. "My Lord.—Tho the insurrection and barbarities committed in the north are

the government's concern as well as my particular, I cannot but thank your lordship for your carriage in haveing every thing done effectually, and in pressing the sending of the forces to Perth and Dunkell." He is anxious that the Scottish troops should not be disbanded till the trouble in the north is suppressed. There is to be a new establishment of the army. "His Majesty has a mind to keep up as many forces as formerly, and the English will maintaine the troop of guards no longer. I belive we shall have all Flanders regiments, for the king thinks they will doe best service that have seen much. The French king is not hasty in delivering up the towns, and they say is taking on our disbanded officers and soldiers," &c. (Signed) "Tullibardine." [The first clause in the letter relates to the outrages committed by the Frasers of Beaufort on Lady Lovat and family, to which casual references only are made in this correspondence.]

21. Ex-Secretary Johnstone to the Earl of Annandale. London, 27 November 1697. ". . . Your Highland disorders are made a gest of here, and have been turned so that my Lord T[ullibardine] suffers by them. . . . As for your rambling designe [*see* No. 16 *supra*] I am not at all against it, and I can give you advices about it how to doe it to great advantage and with small charge and little tyme; but you take no resolution in that till the next session of parliament with you be over, at which I suppose his Majesty will be present. However, you should in the mean whylle have one to teach you French, for without language a man is a child, and you may learn it on pretince of reading books in it. . . . There is great caballing here against a standing army, but the majority will be for it. The next point will be against the French and Dutch regiments, but they can hardly refuse the King his guards . . . There is a working against the East India Company with you," &c.

22. Lieutenant-Colonel Robert Reid to the Earl of Annandale. London, 30 December 1697. Chiefly relating to the regiments to be disbanded. "All that I find is designed is half pay for the field officers and the captains who have served abroad . . . I am doing all that can ly in my weak power for all the captains in my Lord Lindsays regiment. By what I cann find ther can be nothing done for the poor subalterns. The bussiness of the Enderlochie [Inverlochy] regiment lyes as formerly, but the first audience my Lord Tullibairne hes of the King, one way or other it will be determined. He is very much for the standing of the regiment that is there, but the King having passed ane promise to the Prince of Vademong for Brigadeir Maitland . . . it is thought the King will not alter his resolutione, and I think Maitland's regiment will be there. This bussines of my Lord Sunderlands, people knows not what to say of it. Some talk that he is in as much favour with the King as ever, and that it is to please the House of Commons who were angry with him, that it is done, and some people do talk otherwayes." The Earl of Albemarle is expected to succeed. He fears the parliament will not alter their resolution of breaking the army, but they will provide for the officers. Lord Teviot is ordered to Scotland speedily. (Signed) "Ro. Reid." In a postscript he says: "I heard it from ane member of the House of Commons that this day some of the members were violent for staging of the Earle of Sunderland, but having quitted his places it was crushed." Lord Gray of Tankerfield is spoken of as his successor.

23. Thomas Hay, Viscount of Dupplin, to the Earl of Annandale. London, 4th January 1698. ". . . My Lord Teviot and

Tullibarden . . . are as weell togither as aney tuo cane be, assisting each other all they cane, which I was very ueell pleased to see . . . I shall nou only for want of Scots neus, tell you that my Lord Sunderland, Sunday was eight days, layed down his whyt rod and went to his cuntrie house Fryday last." The writer recommends his friend and tutor James Hay of Carribber to Lord Annandale's good offices, he having a lawsuit with Sir William Bruce. He also states that the King had conferred on him the honour and title of Viscount Dupplin. He signs "Thomas Hay."

24. Sir James Ogilvie, Secretary of State, to the Earl of Annandale. Whitehall, 5th January 1698. His letter chiefly states that he believes the tack of the customs will be very lucrative this year to the tacksmen. In a P.S. he writes: "Wee have had the greatest fire at Whitehal was ever seen. It al brunt doun except the bankating house and the Earl of Portlands lodgings, bot both are much damnified." (Signed) "Ja. Ogilvie."

25. The Earl of Tullibardine, on same date, writes:—"Yesternight about four a clock a fire broke out in one of the garrets at Whitehall, which burnt so furiously that it hath consumed all the king and queens apartments, the chappell, and all that was worth the standing at Whitehall, except the banquetting house."

26. The Same to the Earl of Annandale. Kensington, 15 January 1698. He had been supping with Lord Dupplin "where were the Lord Teviott and Mr. Johnston, and where we did not forgett your lordship." Lord Lorne's and Lord Buchan's regiments are to be disbanded. "I intreat you and other honest men will prevaile with the ministers to recal Mr. Carstairs. You kno what a man he is, and tho there is not much feare of him now that Portland is gone, and (if all who understand the court be not deceaved), will never returne in favour, yett it is all interests as well as the churches that such a secrett enemie be taken off. The king has apointed Monday to receave the African adress. Adieu."

27. Colonel Archibald Row to the Earl of Annandale. London, 18 January 1698. "I arrived heare one Friday. . . . They had like to have plaide me a tricke, but I dont wondare, since some people will doe aney thinge to serve there oune ends. Sir David Colliare spoake to the kinge that his regiment shoulde have the ranke of mine in Scotland, because it had it in England and abroade as being ane Englishe regiment; and there was so much respecte payed to the antient kingedoome, that true borne Scotts men pressed the kinge to give the ranke of a Scotts regiment in its oune countrey to ane Englishe regiment, which was tuelve years younger, and the Scotts regiment established by acte of parliment besides." A letter to this effect had been laid before the king, who however deferred the matter. "One Sunday I gott nottice, and yow may immagine did not make a smalle noyse. They are now ashamed of the thinge, and some greate men, whoe reasond for it before now, wondare that any bodey coulde thinke of suche a thinge. . . . I begg your lordshipe will order some bodey to looke the recordes in parliment aboute the timme of Bothewell Brigg, when the regiment was raised, and lett me know what the acte sayes about the establishment, but without letting any one know." He then refers to the new army establishment. He signs "Archd. Row."

28. Thomas Livingstone, Viscount of Teviot, to the Earl of Annandale. London, 20 January 1698. "The bussinis of Enverlochi

is yit ondetermint . . . But the doeings of this parlament doeth so mutch take op the kings thougs, that litel is done in Scots affaires. Rou hath a verry good reputation and I wisch he wear theer ; if thee great apearence the antient nobility doe make with theer interest at court doeth not take him of, as it heath done others alreddy. My Lord Linsay is aryved, and I have put his bussinis in a fear way ; yit the Earle of Argyle, I am told is for Lord Forbis, tho he persuads Lindsay to the contrairi. It shal not be my fault, if he get it not. The king was not pleased with the Earle of Mortons comming from Scotlant whitout aquainting the counsul or chanselar, would not admit him to the kissing of his hands, and ordered hee should goe back to Scotlant. But the Ducke of Queensberry, taking this verry il, saing it is leffeled at his Grace, is to take of the kings anger hoe soon his father-in-lau is burried. All other Scots affaires are mutch at quyet sins the Earle of Portlant went away; only Sir James Ogelvie is very bussi, looses no tyme or occasion, witchs others doe. . . . I hope the African Company wil be pleased with the ansuer to theer adres.

29. THE SAME to the SAME. London, 15 February 1698. . . . "The antient nobility beginning to slacken in their great ondertakings and promisis puts bussinis at a stand. The Englis parlament is verry trobelsome and ongrat to a king that heath done so great things for them. Frans makes great preparations, both by sea and land, to what end is oncertaine to most heer. This should make England to be opon theer guard, but instead of that, nothing but braking the army and no preparations by sea. . . . It is lycke some bussinis may come about, for the king kan not wel continou to alou Ogelvie to act with that insolence as nou he doeth. Everything done in his moneth is onderhand and by trick and artifice, makes not one step whitout advyse of Castaires and the antient nobility, and imposes sadly opon the others, who is my great admiration." In reference to his proposed purchase of Lethington, on which a price was to be considered, he says: "I hope it shal not be meddelled whit whitout ane indisputable ryght, and not beyont the value for it. . . . Monny, as I ame told, is scars in Scotlant, witchs should make lands easi. The house is ane ould one; no improuvements of gardings or orchars about it. Thoos things kan not be wantet and wil cost large soumes to make them. So I hope that will be mynded."

30. JAMES JOHNSTONE, formerly Secretary of State, to the EARL OF ANNANDALE. 22 February 1698. ". . . The party here had promised every thing supposing the king would be doun. Nou that not being probable, they are at a losse and full of fears, and Carstairs is sent doun to feel pulses. If he be used as he deserves he will not stay, nor have tyme to corrupt people or misrepresent honest men, which his stay will give him a handle to doe. It is not the nations interest that the king should goe doun, being in the hands of such men. They would assume to themselves the credit of that which his presence would doe, and so perpetuate themselves. If vigour be shown, and the difficultys be to be really such in parliament, as letters from Scotland represent them to be, there will be a change of hands," &c.

31. DRAFT LETTER. The Earl of Annandale to [the Earl of Tullibardine]. 24 March 1698. That Lord Whitelaw proposed refusing a pension conferred on him. "Besides, thiss pension wold be butt a verrie elusorie and ineffectuall busnesse, for no such pensions allmost are payed. Besides, iff he goe nott thorrow stitche he must

nott expect to enjoy even the name of itt long. Soe I should be sorrie they had itt to say that they had carried him by with a bable. . . . The first and onlie visitt I ever had in my life from Commissary Dalrymple, I receved thiss day. He told me the king had made him President, and that he desired to live weell with all, especiallie with those who had the honor to be on the benche. I told him I did expect allwayes ane other President, and I wes sorrie for the dissapointment; and that annie who had inclination to live weel with me, I wes nott to give them reason to doe otherwayes. Thiss wes the subsistance off what past in reference to thiss matter; onlie, he sayes thiss comes to him unexpectedlie and what he wes nott asking. But you are to beleve thiss ass far as you please." [The Earls of Annandale and Tullibardine were very desirous that Sir William Hamilton of Whitelaw should have been made President of the Court of Session, and Tullibardine took the failure of his schemes so much to heart that, as will be seen, he resigned his office of Secretary.]

32. PATRICK, FIRST EARL OF MARCHMONT, CHANCELLOR, to the EARL OF ANNANDALE. London, 31 March 1698. "The newes which came from there of Commissarie Dalrymples being appoynted President of the Session were verie surprising. I now understand that the king had resolved sometime befor, and that he declared it, and sent down the letter before my comeing hither, of purpose to prevent my reasoning with him upon that subject . . . Since it is done, there is no more to be said. My Lord Tullibardine is vexed and troubled at it. My endeavour is to qualifie him, and to rectifie his measures, which doe not please me, and I fear if I prevail not upon him the consequnces may be bad." He trusts Lord Whitelaw will do nothing rash or unbecoming. He has had one audience of the king and is to have another. "I will endeavour to acquite my selfe both honestlie and prudentlie, in giving my opinion to the king, still remembring, as becomes a subject, that counsel is no command," &c. Signed "Marchmont."

33. JAMES JOHNSTONE, formerly Secretary, to the EARL OF ANNANDALE. 2 April 1698. Nothing of moment has as yet passed between the Chancellor and the King. "Whitlaws and Tullibardins affairs will doe more hurt to the Kings affairs in England then with you, tho with you enough, but a little here is more than your much. When a thing is done, it must be believed; but I could never beleive it, till it was done. The Advocat was the man intended, but it would not doe. Tell Whitlaw from me that he has spirit and circumstances to bear such a disappointment, which is more than the thing," &c.

34. JOHN, EARL OF TULLIBARDINE, to the EARL OF ANNANDALE. Kensington, 3 April 1698. Announcing the appointment of the Chancellor as Commissioner to the Parliament, and asking the Earl to propose some one as President of Parliament. He adds: "I understood plainly by my Lord Ruglens letter . . and also what you hinted in your oun, that it was your opinion I shoud lay doun [office], which I hope, I have done in so honourable a manner, that my frends will not only aprove of it, but continue the closer to me, since I have by this action showen myself so much for the true interrest of my country and the honest men in itt," &c.

35. PATRICK, EARL OF MARCHMONT, in a letter dated London, 14 April 1698, writes: "I am heartilie sorrie that my Lord Tullibardin hes takin such a way as you have heard of. It hes been contrarie to my opinion and earnest advice, and I am like wayes verrie sorrie that

my Lord Whytelaw hes, as I heard, sent back the letter of pension to my Lord Tullibardin. I can perceive no good tendencie in these methods." He advises the Earl "to dispose my Lord Whitelaw and others to act kindlie and heartilie in the king and countries affairs, as if the surprizeing things, which have latelie happened had not fallen out, and then I am sure things may yet goe well," &c.

36. The SAME to the SAME. London, 26 April 1698. The king has been busy. "He goes tomorrow to Windsor to give publict audience to the Swedish Ambassador, who made his publict entrie thorow the citie this day to the house appoynted for him in St. James's Square." The writer again expresses regret that the Earl and Lord Ruglen had persuaded Lord Whitelaw to reject his pension.

37. SIR GILBERT ELIOT OF MINTO, CLERK OF THE PRIVY COUNCIL, to the EARL OF ANNANDALE. Edinburgh, 10 June 1698. ". . . By a letter I saw yesterday I think the Dutches of Lauderdale, for upon the fourth instant after great convulsion fitts in the morning, she was become speechless in the evening after frequent relapses into these fitts," &c. (Signed) "Gilb. Eliot."

38. THOMAS LIVINGSTONE, VISCOUNT OF TEVIOT, to the EARL OF ANNANDALE. 10 November 1698. There are new rumours of war, and new French plots against the king. "I doe not beleeve that my wel wischers have anny good ground to say that I ame not to come back to my command again. Sefeeld, as I am told, gives it out that he is sure I shal quit, in witchs he is migtely mistaken. But this is done of desygne, thincking that it will displease the king." He refers to a report that Ramsay is to command in Scotland, and he himself to be employed in England. He has served the king with sincerity and zeal, although he is credited with having made great profits, and with holding the most beneficial post in the three kingdoms, and making 30,000*l.* sterling. He appeals for consideration. He might have made advantage by the commissions, but as to this he appeals to the broken officers themselves. "Menny that should heer this would say I was but a fool for my pains, and as sins it is beleeved, it is the same whether I have done so or not. But ther I differ from them. Yit it is somwhat hard to be beat with the spit and not teast of the roast." . . . "Horribel whedder wee have heer of frost and snoo. In Hollant theer heath been so mutch sno, that theer was no traveling. In Fraus the wyns are spoiled, so make good provisions in tyme. Take this as a certainty, for I have it from good and impartial hands," &c.

39. JAMES OGILVIE, VISCOUNT OF SEAFIELD, SECRETARY OF STATE, to the EARL OF ANNANDALE. Whitehall, 4th January 1699. He believes the king has returned to Kensington, but has not yet seen him. "We have received a very sad account of Jamison and his crew [Darien Expedition] by Captain Mackclean and Captain Forbes, who are arrived hear in an English ship from Jamaica. Captain Forbes says both Jamison and Starks ships arrived safe at Darien, and that they continued for some time ther, that they had provisions for all their number for 3 months, but by accident one that was drawing brandy did fire Jamisons ship, which containd most of their provisions; and that they were necessitat the next day to come aboard of Starks ship and direct their course for Jamaica, but were much straitned for want of provisions on ther vonge ther; that a great maney dyed befor they reached Jamaica, and that maney dyed after they landed ther,

and those that were alive engaged themselves in service; that they were kindly and civily entertaind by the Governour and that Pennycooks ship is laid up ther, and Captain Mackclean, who commanded her, left ten or twelve men to take care of her. This is the soum of what they both say, save that if they had had either private credit or money, they would have got provisions; and that two sloops came to Darien after the proclamations with provisions, but that they wanted money or credit to give them." The writer believes this account to be true, but the Earl will see if Lord Basil Hamilton "gives the same account of this matter, for no doubt he will writ to the Company," &c. (Signed) "Seafield."

40. THOMAS LIVINGSTONE, VISCOUNT TEVIOT, to the EARL OF ANNANDALE. 5th January 1699. His letter chiefly comments on the Earl of Argyll's dealings with the forces in Scotland. In a P.S. he writes: "My agents brother, Hamiltone, being concernet in a ship that transports men to the plantagions, nou leying near Glasco, heers that theer heath been a stop put to the transporting of volentari men. He heath had a great number onder pay this whyle by past; desyres your lordships favour in casse it coms befoor the counsul again."

41. JAMES JOHNSTONE, formerly SECRETARY, to the EARL OF ANNANDALE. London, 20 January 1699. He would have answered the Earl's letter sooner, but could not get a bearer. "As to what passed in Parliament with you, I never condemn a friend without hearing him; and nither can I hear you, nor you me by letters. I am sory to hear of the condition of the countrey, and thincke strange that noe publict representation has been made to the king of it. Had that been done, there had been a clause put in the corn act here with relation to Scotland and other remedys too were practicable. Were I in your place, I would have the merit of moving in Councill for a representation; tho it will come late, it may have some effect. I hope the new Secretary will bring this with him, if it be true in fact that the countrey is in a bad condition, which our countrey statesmen are willing to seem not to beleive. Seafield once told me that you were to be encouraged; if it be so, I shall hear of it and then beleive it. What vacancyes are now made or filled I know not, but those lately made in your councill have done the king's affairs more hurt here then I thinck Scotland can well make amends for; so politically was that change tymed and palliated. Affairs here speak more then I can writ. You may imagine the scene here. If the bill passe (and I believe it will) the Dutch and French must goe and we shall have 7000 men to trust to, and if it be rejected we shall have noe troops at all, for we shall have noe money, and you know all troops, without consent of Parliament, are in tyme of peace by the act of Settlement, against law. I have been from town a moneth, and two from Court, and so cannot say much. I saw Mr. Douglass t'other day, who is now the chief man on whom the New E. India Company here relye in setling of their trade in the Indyes, but our Company thought him not worth their employing," &c.

42. JAMES OGILVIE, VISCOUNT OF SEAFIELD, to the EARL OF ANNANDALE. Whitehall, 31 January 1699. Expressing a desire to continue in friendship with the Earl and to do him service; also intimating to him the gift of a pension of 400*l.* sterling. Lord Carmichael has been appointed conjunct Secretary. "I shall make it my endeavour to live well with him, and it will be all our intrests that are

imployed in his Majestys service to agree togither and to shunn all occasions of difference. The Justice Clerk or Sir John Maxwell will be treasurer depute; the Earl of Lauderdale is general of the Mint. The Earl of Lowdon is made extraordinary lord of the Session, and the Earl of Marr is made captain of Stirling Castle. The President and Philliphaugh each of them have got 200 pound of pension. I hope this will convince your lordship that his Majesty has followed out that measure, which you formerly approved of, by encouraging those who served him faithfully, and by discouraging such of his servants, who openly opposed him in what he only desired for our own security and preservation."

43. JAMES JOHNSTONE, former SECRETARY, to the EARL OF ANNANDALE. 10 April 1699. ". . . As to the African Company, it was from the beginning the work of Providence, and it scemes Providence will carry it on; and, therefore, I suppose will give its instruments the necessary wisedom of sending men and provisions so as to be there before August, otherwise unlesse Providence doe miracles, that is work without means (which it has not done for many ages that we know of) the thing will be lost. I shall not trouble you with my reasons, but only tell you that I have such as the company know nothing of, having seen all the accounts given by their enemyes and those sent to undoe them. You will nou ask what may be expected in case they have succours and provisions in tyme. My first answer is that come what will, your Caledonians will be in a condition to treat and to have cent. per cent. I will warrant you, to goe elsewhere (if they can doe noe better) when it appears they cannot be forced. Its a jest to expect that the Spaniards will suffer them there, if either money or force can get them away. They will allow them as soon to settle at the gates of Madrid; and yet others are to be dreaded more than the Spaniards. Thus, however, if the Caledonians have sense, you subscribers cannot loose your money, which I beleeve not long agoe you could not have got ensured at a considerable losse. But nou as to the successe of the bussinesse, if they really can be put in a condition not to be forced (which seems to be the opinion both of friends and enemies); when the world is convinced that they are in such a condition, which they will be if attempts upon them faill, then a jugement may be made of it, but hardly can any be made at present. Much will depend upon accidents, and if some happen which I and much wiser men doe beleeve will happen, I make no doubt but this nation will gaine in the bussiness, which will produce an union in trade betwixt the two kingdoms.

You will laugh when I tell you that before you get this, you will hear that some new mark of favour is put on my Lord Portland, or that he has left the court or both. The other has nou both Dutch and English bussinesse more in his hands than I thinck he cares to mind. If you can beleeve people, Portland goes this day to his lodge at Windsor, and from that whither he pleases. Suppose that true, matters with you will continue as they are for a whille, but changes will come. . . . You cannot but observe the strange spirit that is rising in this nation. A new parliament is much under consideration here; but I never heard that a king of England mended matters in that way," &c.

44. THOMAS LIVINGSTONE, VISCOUNT OF TEVIOT, to the EARL OF ANNANDALE. London, 11 May 1699. ". . . The king is at present at Winsor, where the Earle of Portlant heath been, sins his retreat from court, at the lodge his lordship heath theer as ceeper of Winsor Forest.

. . . It seems that earle heath a mynde to retyre himself for good and all, for opon Saterdays night he delyvered op the key he woore as groom of the stool, and, as I ame told, heath quit the most of the rest of his plassis. It loocks and is thought theer is some misterie in this, for it apears od that so long in favour and done so great services should so of a suddain retyer; but court maters are misterius, so I shal not meddel with judging of them. . . . I kno not what our steatsmen intend to doe, for thee are great secritaris. We are told that the African affaire is not to suffer by President or Advocat. The Spanish ambassador, as it is said, by instigation of the Frens and the Emperors, heath given in a memorial against it, to witchs the two abof mentioned have made ane answer," &c.

45. The SAME to the SAME. London, 1st June 1699. The king is going abroad. There has been a meeting between the English and Scotch about the African business, but he did not know the result. The two secretaries and others go for Scotland, when the king goes. "I intend after a winter campagne at Court to go and play myself a litel in summer. . . . My Lord Portlant doeth not frequent the court in publick, comes sometymes ons a weeck to his lodgins at Whythale and goos to the king in pryvat. Our secritaris adreessis to his lordship as yit in Scots bussinis. Some say that wil not les loug eather," &c.

46. JAMES JOHNSTONE, late SECRETARY, to the EARL OF ANNANDALE. 5 June 1699. ". . . As to my Lord Portland, what may happen is uncertain so as to be positive about it, but in all probability he will be quickly out of bussines as well as out of places. He says himself that he is only to finish what was in his hands, and upon this foot the affairs of Scotland and France were in his hands, till the king went. Still he says he will not refuse to serve the king upon occasion and he has reason. The king owes him £30,000 for his embassy to France. But that a man shall throw up his places, and yet resolve to continue in bussiness is nonsense, nor does any man of sense here believe it. Its more likely that he come into places again, but even that can not be without exposing both the king and himself." The writer then warns the Earl against various rumours that were abroad about him, especially one that he had offered his services for undoing the African Company; and he advises him, even if he has given no handle to such a report, to watch over his actions "with relation to that company with more circumspection than otherwise was necessary. For whatever become of the company, any Scotchman that shall have an hand in undoing it will be detested by all mankind, and therefor it will be a great misfortune for any Scotchman to be suspected of it, however innocent he may be. I know your zeal for the Company, and showed your letter (which came seasonably) for a proof of it. I know you are not capable either of the villany or folly of acting against it. But by this you may see what enemies you have. I wish you may find out who they are," &c.

47. [Correspondent uncertain] to EARL OF ANNANDALE. London, 15 June 1699. The first part of the letter comments upon the heart-burnings and dissatisfaction of those in offices of State. ". . . Who shall succeede Earl Portland in the degree of a minister is not knowen. There are severalls guest at, but with no great ground of certaintie. Only one thing is certain that it will be ne're a one of the old blades, who understand affaires. They will not heare of coming in. And

indeede it is generally owned that they think not any eminent Englishman is consulted with. . . . As for what relates to owr African compani, you already know from the fountaine. But it is expected here that all our countreymen will stick cloes to it as that upon which the weell or ill-being of our countrey much depends. Your friend, the Duke of Hammilton, I am told, setts up mightiely for it as that which will render him very favorable to the nation. Here has been a terribl fire hes burnt neare 300 houses, and being upon the brink of the water below bridge at Redriff, took hold of the shipps and has burnt 7 or 8, whereof it is saied one is a shipp of the King and some other considerabl shipps. It is a sadd thing to heare of the frequent murthers committed here. Hardly one day passes without some one or other. Without ceremonie. Farewell."

48. A LETTER to the EARL OF ANNANDALE from the same person, dated 15 August 1699, beginning "My deare Chieff." The writer's son has so fully represented the Earl's active friendship that he desires to express his gratitude, and he is resolved to give the Earl an account of affairs, of which he should not be ignorant. He then proceeds: "I must in the meanetyme acknowledg that the sum of affaires in many things, especcially what relates to the king, is such as gives me, who love him and his interests as weell as I doe, no small trowbl in my thowghts, that renders the writeing of them non of the most pleasant undertakeings. Your lordship is not ignorant of the proceedings of the last parliament, and that reflecting on these yow may easily perceave what was aimed at, even the changing of servants, and, in one word, the takeing new measures in the administration of affaires. They who reflect upon what hath beene don sinc, or rather upon what hath not beene don, think there is nothing beene don that they aimed at or may tend to soften or qualifie them against next sessione. It is true, Admiral Russell (I showld call him Earle Orfuird) is owt, but he turned himself owt. Mr. Pelham is turned owt of the treasurie. But he was not aimed at. Upon the contrare, the Howse [of Commons] likt him, and indeede he was in a sort the only man of the kings servants who had the credite with them to promote things in the Howse for the Cowrt and did it often very dexterously. The Duke of Leeds was not aimed at, but was rather becoming a favorite of the Howse. The Cowrt is sencibl of this. For thowgh it was endeavored many wayes to make himself lay himself aside, yet he wold not; and now everybody denyes theire accessione to it. All the Cowrt endeavored to make it pass as if he had turned himself owt; yet he has made the whole world know the contrare. The greatest men come hardly neare the Cowrt. Duke Shrewisberry (who is perfectly recovered) Earl Rochester and the like, absolutely decline comeing into bussieness. The common peopl are madd at his [the King's] custome of going over thus every yeare. The whole sinewes and administratione of the Government seeme to be slackened. The disbanded seamen and soldjers become tumultuows and insolent, the whole manners of all peopl corrupted, the whole rodes infested miserably with robberies, and the citie full of dayly murthers. The chancelar is indeede a greate stay to the government by the diligence and practice he observs in his charge and by his moderat and sober advices. The members ar much provockt by this, that the king shewed himself much enclined to dissolv this parliament, and the cuttd speech he made them at parting sticks divilishly in theire stomachs. The chancelar prevented that it was not then dissolved, representing (which is in every mans mowth) that the next wold be worse. It is hard to say after all, but he may yet dissolve them. It is not thowght he will

be here befor November, nor is it thowght that the parliament will (if at all) meete a greate while after that. Mens pulses must be felt, and accordingly measures taken. It it litl dowbted but they will take up again the bill of resumptioune, and recall all his grants of forfeited estates, in ordor to which commissioners have beene dispatcht to Irland; and ar now makeing vigorows enqwirie into the value of them. Nay it is feared (which God Allmighty prevent) that the rife jealowsies they have contracted of his partiall dispositione to the interests of Holland and Dutch cowncells, will prompt them to a vote that the crowne of England and the statholdershipp of Holland ar incompitibl in one person. Nay, owr litl bussieness of Darien is like to come into the scales. Nobody sees any prejudice to England by it, except the Spanish merchants, who feare an embargoe upon theire goods and shipps by Spaine. It is litl dowbted that what Sir Paul Rycote did at Hamburgh proceeded from Dutch contrivance. Nay, it is now beleeved to be influenced by French cowncells. The Spanish embassadore never had an ordor from that court to give in that memoriall he did give in. This jealowsie may work much to the advantage of that affaire next parliament here, if those concerned ply it right. To conclude, certaine it is, all circumstances being considered, there never was so hott a winter in tyme of peace as this is like to be here. Greate alterations must certainely ensue, to what side God only knowes; and how farr they may extend to owr affaires I shall not presume to guess. The favorites and men in trust here will keepe the gripp als long as they can; like men in a storme perhaps run to any shore. If any other thing occurr you shall certainly know it, thowgh I will not presume to give yow any advice what provisione is to be made against so imminent a tempest," &c.

49. The SAME WRITER to the EARL OF ANNANDALE. London, 21 October 1699. He is very desirous to find a "mutuall concerne" between the Earl and the Duke of Queensberry." "Our cowntrey is at present very low and tending to worse, I feare. I feare also that few ar sensibl of it, and fewer regard it. Yow two have a great stake in it, and I am very sure if yow stick together, you shall be abl to doe what you will in it, and I hop, support it. . . . The King, after he has tryed to make Earl Sellkirk your cosen a soldjer and a cowrtier, and a commorade and a statesman, and that he finds omnipotencie was only abl to doe these things, he now is to try how he is qualified to be an Embassadore. He is to goe to Denmark and Sweden. The jests that pass on this occasione cannot be written, they loose theire edg in writeing, but they ar very pleasant. But the misirie is there is no so much as one of them to his advantage," &c.

50. PATRICK, FIRST EARL OF MARCHMONT, to the EARL OF ANNANDALE. Polwarth House, 23 October 1699. He is well satisfied with the part the Earl has acted in the council of the African company. "I doe confess it is a nice business, and you know wee have reason to be very warrie of giveing umbrage to those concerned in that business, whom wee know to be well-affected to the king and the government, and from whom wee may hope for some good assistance in the most important pairts of the kings service, especiallie seeing there are certainlie some among those of that council who have designes quite cross to ours as to the cuntries entrest and the kings service. But I perceive that some motions there have been such as your lordship could not say or doe less nor you have. And if I had expected what you met with and had been giveing you my opinion, I could not have

advised you other than what you have done." He will write to Court and asks for further information. In a postscript he writes: "I heare of an adress from the company to the king on several heads, one to call the parliament and of another to the privy counsell to joine in the former. I wish to prevent or disapoint the last if we cannot stop the former, as it is dangerous in generall and may be prejudiciall to the company." If his staying from town will cause delay, he will not return so soon as he intended.

51. The Rev. William Carstares to William, Earl of Annandale. London, 24 October 1699. ". . . . I doe not doubt but this businesse of Darien occasions much discourse where your lordship is, but I hope things are not at such a passe as that his Majesties servants shall be affraid to check seditious discourses and actings against his Majestie and his government. I confesse your lordship and others have a difficult task at present, but I hope neither your lordship nor they shall be losers by vigour in your dutie to the king," &c.

52. James Ogilvie, Viscount of Seafield, to the Earl of Annandale. Whitehall, 2 November 1699. The king is very well satisfied with the Earl's services in the council of the African Company. "My Lord Duke Queensberry, my Lord Carmichael and I have this day both præsented to his Majestie the adres of the councel of Calidonia and the petition of the councel-general. His Majestie did express himselfe verie fullie and plainlie and he knows how this hes been caried on. Houever, he hes givne a verie smoth ansuer to this purpose, that he regraits the loss the nation and the companie hes sustained, that he will protect and incurrage the tread of the nation, and will take cair that his subjects of the kingdom of Scotland shal have the same freedom of commerce with his English plantations the[y] ever had formerlie." The parliament is adjourned till March and the king expects no address from his privy council at present. The writer trusts the Earl will use his "endeavours to alay the præsent ferment."

53. James, Second Duke of Queensberry to the Earl of Annandale. 2 November 1699. The company's address had been presented. The king is satisfied with the Earl's behaviour; he considers the address too hard upon him but has "given as good an answer as could be expected; and if this be receved with submission and gratefull returns, I beleeve he will doe much more then he has promised. He is verry sensible that some have desseins of making this nationall misfortune a handle either to thrust themselves into his government or engadge a great part of the kingdome into King James's service. If the company will suffer themselves to be made tools off, they will certanely ruine themselves and loss the advantage that wee have good ground to expect from the king by a prudent and dutifull carriadge towards him. You'l think it verry strange noe doubt when you hear that our cousin [? Lord Basil Hamilton] has valued himselfe at court highly for haveing protected the government from the handes of the rabble by his presence at Edinburgh, and at the same time offered his service here, when (as we are told) he was doeing it to the company in so remote a place as Caledonia." The King is not pleased that others have spoken "verry cavalierly" of him and his government, and he expects the privy council will prevent such "insolencys," and punish those using indiscreet expressions, &c.

54. Letter, unsigned, to the Earl of Annandale. 21 November 1699. He will lose no opportunity of letting the Earl know what goes

on. "But all must be to yourself at least for the most part, or very trustie friends. You very well know I want not eminent and active eniemies, and such as will not stick, when it will serve turne, to call eares horns." The writer refers to the House of Commons, newly met, and which was called upon to consider first the King's speech. A member urging the necessity of this, added, "but that the House was not yet full enough. The Howse was not very thinn. However, this took like moore burne, as we say, and accordingly the Howse was adjourned as you understand. It was told me this day by a man of much converse among men of bussiness, that the King of Spaine the more briskly to owne the angerie and angering message delivered by his Embassadore here, has promoted him to an eminent post. That he has commanded away both the English and Dutch Embassadors from his Court; and that he has sent orders to the Netherlands that no Hollanders be entertained in his service there, but in theire place they engage any of any other natione they can, with some other things that very apparently tend to a breach. As also that the French king demands of England to some of the most important islands in the West Indies, now in the possessione of England, restored to him as belonging to him, and such they ar too, as the virtuosoes in trade say the restoreing them wold infallibly ruine the English interest there. This is constructed as picking a quarrell, and if it be true (which a litl tyme will discover) is certainely so. Certaine it is, the French King was never so strong and consequently never more desyrowse of a quarrell. It is also thought that the Duke of Savoy is thoroughly engaged with him, and that the two Northern kings will at least look on, it being saied as certaine that they have lately gott money from him. Nor is it unlikely too, that his cunning may foment the sparks of discontents betwixt them, so, as to ripen it into a warr betwixt themselvs or at least to raise theire mutuall jealousies to that height, that though they wold, they cowld not spare any assistance to any other to his prejudice. Thus, my deare lord, you have what comes to my hand. Tyme will discover the truth and event. Nor ar there wanting who will tell you that all these things ar but the inventions of the Cowrt to make a necessitie appeare of giving supply. I had almost forgott to tell you that it is also told that the States General of the United Netherlands did sitt now thrie or fowr dayes and even nights (as they talk) beyond theire ordinary; and of this the talk is somewhat too reflecting, as if it had beene for adviseing the king in the present exigencies of his Government here; and I'l warrant ye, they give it the most opprobrious expressione, and call it giveing him instructions. But this must undowbtedly be a calumnie, for no doubt while he was there, this was (if requisite) sufficiently adjusted, and there is no new emergency which might occasione any chang or alteration of measures. Fare weell.

55. The SAME WRITER to the EARL OF ANNANDALE. 25 November 1699. The Commons are to consider the King's speech on Monday. "No body can yet know how bowls will runn, only there is a greate apprehensione among people that they will runn high. It is saied that men decline much the embraceing of employment here. The king (it is saied) has had Earl Portland with him and has beene ernist with him to enter againe into bussieness, but that he refuses it. Some say he does so, foreseeing stormes; others that he knowes the Commones here beare him at ill will and that if he showld againe enter upon bussieness they wold have a fling at him. But whither so or not I doe tell yow with much trowbl that there is too generall an inclination to an extreame disgust of the present cowncells, and yet I can not tell yow for what

reasone nor for what aime. A litl tyme will discover. I suppose you know the King is ill pleased that our African folks have printed their address and the Kings answere. What will followe I know not," &c. [The writer diverges into his own private business affairs.]

56. JAMES OGILVIE, VISCOUNT OF SEAFIELD, to the EARL OF ANNANDALE. Whitehall, 12 December 1699, in regard to a second address by the African Company. "The Duke of Queensberry and wee went together to the king, and wee acted unanimouslie, for his Majesties service does requer both vigor and unanimitie. He was dissatisfyed to be adressed again, having givn his ansuer so laitlie and that it was principalie caried on by such who had givne no proofs of ther loyaltie to him and by some who are dissatisfyed with everie thing bot opposition. He was also much displeased with the treatment his chancelour mett with and with the insolent maner of the whol proceeding," &c. [On the same day the Duke of Queensberry wrote on the same subject. He says, *inter alia*,—"Ther is now a letter sent from the king to the councell by which he orders that what can be done by law may be done in resentment of this affaire and for hindering the procedure of it." He also urges the Earl to dissuade Lord Basil Hamilton from coming to court, as the king will not see him.]

57. LETTER, as before, without signature, to the Earl of Annandale. 14 December 1699. . . . The Howse of Commons seeme to proceede shyly and slowly towards the greate affaires now befor them, for they let fly at every thing comes in theire way, whither it be in rule or owt of rule, which I doe the rather tell you for that a friend of yours and mine, the Bishop of Sarum, by this means has been concerned. The howse had befor them upon Tuesday the matter of a debt due to Princ George. In theire speaking of this, a member, Sir John Packintone, saied that he was for paying that debt, but he cowld not understand why the education of his son, Duke Gloster, showld be committed to a man whose book that howse had fownd reasone to cawse burne by the hand of the common hangman, nameing the bishop, and adding some scurrilowse as weell as unjust reflections against him. The Speaker took him up and told him that what he had said was quite owt of rule and order. Sir Edward Seymore ansuered that it was so, but that he hopt and proposed that the howse might putt it into order. And accordingly yesterday it was moved and the questione at last put, if there showld not be an address made to the king that he might be removed from that charge, but it was carried in the negative by 40 votes. There is a mightie storme raised against the Duke of Shrewisberrie but it is befor the house of lords. It is one Smith who accuses him that he did discover the plott for assassinating the king to him befor Prendergrast did it and more particularly too, but that he did not regard it; and not only so, but that also some three or four dayes befor it was to be execute, and that he told him so, he (the duke) went outt of towne and neglected it. What will become of it I know not, but it is probabl it will be stifled. Farewell."

58. JAMES, VISCOUNT OF SEAFIELD, to the EARL OF ANNANDALE. Whitehall, 28 December 1699. The king is pleased with the Earl's management. "It would have been of bad consequence if the proclamation [as to the Darien Company] had not been omitted, and I acknowledge it would have falne had it not been for your lordship" . . . I was surprized with the accompt your lordship in your last give my Lord Carmichael. I think it should be inquered after and if it could be found out how [who] putt that Jacobit and also murdering

placard it should be severlie punished and incuragement should be givne to any will make the discoverie. The king does resent the sending up my Lord Bazil Hamilton with the adress of the companie, since he has been hier and neaver owned the kings government, and neaver waited of his Majestie," &c.

59. The SAME to the SAME. Whitehall, 2 January 1700. . . . "This address, it seems, cannot be stopt and I think the great endeavour should be to hinder the Parliament men for going into it; for if his Majestys servants and the greatest part of the members of parliament, the assembly and the army keep themselves from engageing into this measure, ther is not so much reason to be afraid. And allow that multitudes do sign it, yet that amounts to no more then that they do incline that his Majesty shall call the parliament as soon as is convenient for him. And it will certainly take some time before these addresses return from the country. But at the same time I don't doubt but a great maney, especially the ringleaders, have other designs at the bottom." Lord Bazil Hamilton had intreated the secretaries to speak for him to the king, and apologised for his conduct, but the king would not see him, and he refused to put the company's desires in writing, as they had intrusted him to deliver their petition in person," &c.

60. The SAME to the SAME. Whitehall, 11 January 1700. The king has adjourned the [Scottish] parliament till 14 May, in the hope he may preside in person. "He has also by a letter to the privie councell, given a very good answer to the companies petition, for tho he has refused my Lord Bazil access . . . it was not fit to deny an answer to the company, and your lordship will find by it that he has promised to demand that Pinkerton and his crew be released, who are at present detained prisners at Carthagena. He does also promise that his subjects in Scotland shall be allowed the same liberty in trade to the English plantations as any others enjoy, which is of considerable consequence; for its impossible that we can complain when we have the same priviledges of trade that all the rest of the world has; and upon the matter, it falls in with Lord Bazils instructions which mentions that other places have larger freedom of trade with the English plantations, so I think these two points will give general satisfaction. Its true, he does not grant them the ships but he puts that of till he have the advice of his Parliament." The writer thinks this will put an end to both the addresses intended from Scotland. The writer also announces his own appointment as Commissioner to the General Assembly, although he would willingly have declined the office. . . . Lord Petterborrough did last night propose in the House of Lords that ther might be an union betwixt the two nations . . . and they have put of the further consideration of it till Tuesday next. The king has a good while resolved to propose it to both houses and was only considering a good opportunity for it, and it would have done much better had it come in so, but some of the lords do appear against it because of the pamphlets that are lately written, which, as they say, would make the world believe that they were threatened to this proposal. I do truly hope that if right methods be taken, we may really have an union, and ther is nothing I am sure would give more general content to both nations," &c.

61. ARCHIBALD, TENTH EARL OF ARGYLL, to the EARL OF ANNANDALE. London, 20 January 1700. . . . "Yow will have heard that Seafield is now a great part of his way to Scotland. This undertaking of his did not proceed ether from his Graces advice or opinion nor indeed myne, for I flattly gave my advyce against it. I wish in that

affair I may prove a false prophett and I am afraid this procedour of both houses of parliament will still render matters harsher. The king did intend to move ane union by some of his manadgers and signified so mutch to his cabinett councell. This took wynd and Earl Peterborough having notice of it was resolv'd to prevent the court, and is thought to ruin the successe of the project, though on other occasions he proffesses a regard to the Scots nation, did bring it in to the house by introducing the book wreitt, the title wherof carries a good aspect, but withall has many things in it to be condemn'd and carring, as they say, a bragg to the English nation, and he reading those places concluded with ane overture of ane union, which indeed has, I fear, disappointed it. The lords adjourned the debate, but in the intervall the commons took it in task and ordered it to be burnt, all which is contained in the votes," &c.

62. LETTER, unsigned, to the EARL OF ANNANDALE. London, 30 January 1700. . . . "Our Scots affaires here is in a great broullierie, and indeed so is most things else." The writer then refers to the Bill for recalling Irish grants; the disbanding of two regiments; and a decision by the House of Lords in favour of the bankers against the king, involving a debt of two millions and a half. "These things with other concomitants are observed to have provoked the king to more than a usual degree of expressing himself in angry manner." The writer then enters into statistics as to the funds and the attitude of the House of Commons towards grants. "These things with other things that are whispered about here, do not a litle vex the king, as I am told. Among other things our affair of Darien has some share. The inconsistency that is conceived is betwixt the attempts made here by the Court (as is said) and the letters written down to Scotland in favours of it, is hainouslie look't upon here, and occasions some indiscreet reflections and no small obloquie against our Ministrie to that degree that wee are told the king himself is displeased with what they have made him doe; and that the resentments of the other hand are such (as it is thought) it will not be easie to move either the Lords or Commons to proceed further in that matter." . . . This day there preached one Stevens before the House of Commons. He is famous for having preached a sermon before my Lord Mayor vilifieing the keeping of this anniversary day. He is called chaplain to the Calfs-head Club. This Calfs-head Club is some noblemen and gentlemen who meet at a tavern the 30th of January and instead of fasting have a great feast and among other things, as a symboll of the day have a Calfs head served up in a dish like St. John Baptists head in a charger." The writer proceeds to give an outline of the sermon, which propounded the "doctrine that all lawful power and authority did reside in the people and flow from them,' &c.

63. SIR WILLIAM ANSTRUTHER, LORD ANSTRUTHER, to the EARL OF ANNANDALE. 13 June 1700. "My Lord,—When I came to Edinburgh I was surprised to hear your lordship was gon to court. Your friends say yow are all to ask the same thing of the king with our addressers. I wish yow may succeed, for if yow do not, I am affraied the blame will lay much upon yow, even by your own party to excuse themselvs. . . . Duke Hamilton went out of town yesterday. He and his dutches dined with the Commissioner [James Duke of Queensberry, Commissioner to the Parliament of Scotland], on Friday last and were again invited to go out to Cokennie on Monday, where they had a great treat. After dinner the two dutcheses went to on room and some company with them, where they played at cards. The

two duks, with my Lord Carmichael, Treasurer deput, Philip [Anstruther] and severall others, drunk very liberaly and all very good friends and came in at ten at night. The President should hav been there but was not very well," &c. (Signed) "W. ANSTRUTHER."

64. WILLIAM JOHNSTONE, Edinburgh, to JOHN KILPATRICK, servant of William Earl of Annandale. 22 June 1700. Dear John,—Since my Lord pairted from this I have scarce been thrice in Edinburgh. . . . The newes of our rable I knou you have by the last with the particulars thereof, viz., of the mobs ringing the bells, forceing pepell to put out illuminations, searching for the provist and, some sayes, beatting of him, threatning the advocat till he signed warrants for liberatione of prissoners, beatting honnest Baillie Johnstone and insulting the rest of the magistratts and Officers of State by brakeing ther windowes and curseing King and them and all, deforceing of the town guard, or, for anything I knou, the guard turning in with them, breaking open the Tolbuith with fyreing the door, liberating all prissoners (yea the Frazers themselfs) except two or three for bouggary and thift, quhen at the same tyme they wounded Georg Drummond and robbed him of a ring from his finger, mony from his pocket, and his hat, periwig, cloack, and suord, and had not Mr. Mob been devydded among themselfs whither he was ane honest man for Callidonia or not, he had probably been a victim for his prissoners, by whom he has lost, of chamber, rent, and sutlarry, about two hundered lib. sterline, too great a soume for his numerous familly to loose. And altho I have scarce reasson to complain, yet the sparks, to shou their good will, and albeit I was out of toune, wer pleassed to saleut my windowes, and altho told of my absence yet proceedded, telling it was for sakes sake who was no friend to the [Darien] companny. It is reported that at breaking of Mortouns windowes he was cursed with the King and Commissioner, upon which Thomas Deanes alleadged, the kirk damned him still before by himself, but that the mob were more mercifull giveing him good companny. Heugh Broun was goeing home that night betwixt nyne and ten, and at the Port which they had then commanded, was ordered to stand and enqueired what he was for, and if he wold drink a health to Calledonia; to whom Heugh, who had been labouring in the vyneyeard, ansuered that he could not doe what they demanded, but added, Come, gentelman, I'le doe what none of you will doe, that is, I'le spew a pint to the health, and in the meane tyme advanced his thumb to his mouth. Upon which he had a large hussa, and was led in triumph to the ports which wer wyde openned and he dismissed. Mr. Mob was verry earnest to know of my lords lodgeings and wer greived to find they wer in the Abbay, and threatned, as the report goes, aboundance of mischeiff for which God confound them. The privy counsell hath ordered a battalione of Rowes regement to lodge in the toune, viz., at the Weighthouse, Toun Counsell, and Neatherbou, and hath ordered tuo or three other regements near the toune. This, however prejudiciall to peace, yet beginns to open the eyes of severall members of parliament and to staggar others, quhen they heard King James health and the prince of Wailles so oft forced upon pepell. I am just nou informed that the Earl Marishall was within one vote in privy counsell of being sent to the Castell for his alleadged being the beginner, as treuly he was. For he came to Stephen Cuthells and ther drunk healthes to Calledonia and all good intentiones, and throwing tuelf glasses over the windou (he ordered the servants to carry out wyne as it is said) and afterwards called up all the drawers, and giveing them a pynt of wyne, oblidged them to drink the saids healths. Thus,

Mr. Mob, once being gathered, they (according to the Earles call or order over the windou) proceedded and prospered. Some pepell alleadges that ther was no desinge in all this; but we may guesse at that when my Lord Drummond told at nyne of the cloack that night at Leith to my Lord Elcho, Master of Stairs, Captain Ogilvy and others, that by that tyme the prissoners wer releived out of the Tolbuith; and by this time perhaps you are as wearied with reading as I with wreiting the above sad account of the madnes of our own countrymen, quho, it seems, are prepaired for a stroak of Gods justice, which I pray in mercy may be avertted." He designed to acquaint the Earl, but thought he would hear from others "but yet if ther be any thing here he has not heard, I pray let him knou it with my most humble deuty and asseur him that he hes not a treuer friend and servant in the wordle both behind and befor, then is your reall friend and servant. W^m^ Johnstoune."

65. JAMES, SECOND DUKE OF QUEENSBERRY, to the EARL OF ANNANDALE. 27 June 1700. "My dear Lord,—I receved both your letters dated the 18^th^ and 20^th^, and am verry sensible of the favours yow have done me since yow went from hence. I doe assure your lordship that noe artifices of our enemys shall ever be able to make the least impression on me, or create any jealousies that may have the least tendency towards divideing of us. I give your lordship thanks for your freedome with me in letting me know the reports of Lord H[amilton] and me, and I will with the same franknesse tell yow that upon honour he and I are in noe better termes than yow left us inn, and that as to the Cockeny expedition [Cf. ante No. 63] it was first concerted by our wives who were desireous to eat what they had often heard talk off, a stone of whitings. After dinner some part of the company play'd at cards with the ladys, the greatest number went into ane other room wher the bottle went round and his Grace [Duke Hamilton] got his dose. He then said some things to people in the company, with which they wer not verry well pleased and gave him sharp repartys: he all the while did not speak one word of yow, till comeing home in my coach wher your nephew Crafurd was, he begane to take some liberty which I had difficulty to gett Crafurd hindered to resent. Your nephew had not drank, so was the easilier perswaded not to fall foull of a drunken man. Lord H[amilton] lay ill all the next day, but the day after I sent for him, when befor Crafurd he declared that as he should answer to God he did not remember of any thing that passed. Yow wer not worse used by him than several others of the government, but he was madly drunk. Wee had not the least talk of businesse, nor have had since, and I doe assure yow that I have noe inclination to have any concert o. that nature with him, nor shall I ever be capable of abandoning the least of my freends on the account of his freendship; much less can I have a thought of adjusting matters without yow with him. . . . As to our tumult here, my Lord Seafield has accounts sent of our progresse in it and other matters to which I referr yow. I am at a great loss for the want of your assistance," &c. [The above is one of a series of letters, none of them very important, written by the Duke of Queensberry in this year [1700] to the Earl of Annandale. The Duke expresses much confidence in and friendship for the Earl.]

66. REV. WILLIAM VETCH, minister of Dumfries, to the EARL OF ANNANDALE. Dumfries, 17 February 1701. "My Lord,—Upon the report that your lordship is commissioner to the General Assembly, and I being chosen a member therofe, least your lordship should wonder at my absenc, I thought fitt to let your lordship know the cause of it; my

horse leaping out of a snow-wreath as I came home hes given me such a strain as frequently provokes bleeding, and I cannot ryde a myle without pain." He trusts the Earl will be helped and receive wisdom to execute his office aright. "Take abundance of patienc along with yow, and when yow speak suggar your words well, on liklie way both to accomplish your designe and gain aplause. Watch against passion and precipitancy in yourself, tho yow see them in heats. And if yow apprehend divisiones, send for the leading persones, and discourse them anent the dangerous consequence of these thinges, and how unseasonable it is at this juncture when Europe is like to be imbroiled, and for any thing I see, it may ishue in a religious war (for some think the last war was ill guided and concluded); and upon such a prospect will it not shew great wisdom in the members off this Assembly to be at peac among themselves, to be all of a peice, off on heart and of on way. Craveing your lordships pardon for this presumption, which flowes from a singular respect I bear to your lordship, and wishing yow good success, I subscribe myselfe, my lord, your lordships most affectionat well wisher and humble servant. W. Vetch."

67. The Rev. William Carstares to the Earl of Annandale, Lord High Commissioner to the General Assembly. London, 27 February 1701. The Accounts of the Assembly were acceptable. "I am heartilie glad that your Grace seems to have overcome the greatest difficultie, even in the entrie, and that the businesse of the intrinsick power is like to creat your Grace no uneasinesse; for I doe humblie judge that the Assemblie in their letter to the king hath done all as to that matter that is necessarie, and they have done it honestlie and yet inoffensivelie, and to doe more or raise new debates about it can be of no advantage to the church, and would savour of a bad design in any that should encourage them." He will represent the Earl's zeal and good service fully to the King.

68. Thomas Livingstone, Viscount of Teviot, to the Earl [now Marquis] of Annandale. London, 20th January [1702]. "We are heer, my dear lord, as yit in the darck what way the king intends as to the forcis that are to go to Hollant. Some say thee are to be teken from Engelant and Ireland, to wit, aight thousand, witchs with two and twenty thousand alreddi in Hollant opon Englis pay, makes 30,000. Ten thousand moore are to be hyred troops opon Dutch pay. Its probabel some Scots may be of the last number. We have a raport that the Ducke of Chomberg goos to command the King of Prussia's forcis, and the Ducke of Ormond succeeds him in the comand of the Englis heer. The Earle of Pembrock is declared hyge-admiral of Englant and Ireland. Theer heath been none in that station since the Ducke of Yorck. A raport was spred heer yisterday of the king of Frans his death, but this day contradictet again," &c.

69. Patrick Johnstone, Edinburgh, to the Marquis of Annandale.. Edinburgh, 13 March 1702. My Lord,—Wee had yeasternight the sad and meilencollie account of the death of our greatt and dread soveraigne, King William, by ane express with Colonell Row. Itt is trully verry afflicting to all honnest peaple here." The Privy Council have met and proclaimed Queen Anne, and the members all took the oath of allegiance and signed the assurance, excepting Lord Ross and the Laird of Grant, who took the former, but refused to sign the latter. "There was also a paper given in by the Laird of Grant att the Councel bourd to my lord chancelor, which was not read. Butt I ame informed the contents of it was thatt the parleament should meet in twintie

dayes, as they alledge the meaning of the actt is, after the kings death. This I perseave proceeds from such as went under the name of Patrick Steells P.[arliament], and signed by threttеen or fourteen of them, who seemes to be floateing togither here. The citty is verry peaceable, and I hop shall continwe so, and I shall not be wanting in my best and outmost endeavoures to promott and preserve the same," &c.

70. SIMON FRASER, LORD LOVAT, to the MARQUIS OF ANNANDALE. LOVAT, 19 March 1702. He reminds the Marquis of his former favours and desires to be remembered at "this criticall juncture. I can very freely promise that I can make as strong a party as any in the north, if ther be use for it; and I will be most fathfull to anything that your lordship will be pleas'd to promise in my behalf. I know my enemyes will use all their interest against me, for they know that I will mortify them if I be law bideing. But if your lordship will be pleas'd to show the queen that I will be usefull to her Majesty in this part of the kingdom by my good following, and my great and many relations with the Highland Chieftaines, I make no doubt but she will give me my peace and some incouragement." He depends on the Marquis's assistance at this time.

71. GEORGE MACKENZIE, VISCOUNT OF TARBAT, to the MARQUIS of ANNANDALE, written from Cockburnspath, 15 April 1703. He regrets to learn the Marquis is detained at York, as the sitting of Parliament is fixed, "and the ferment, or rather the various ferments, and from severall causes, needs the indeavours of all her Majesties servants, and it is a greevous matter that the common interest and safty of the Protestant religion of Brittain, and the liberty of Europe, should not cure them in all thinking men. For whilst wee contend for fringes of forms and various modes of government in the church (which in all places ever did and ever will differ from one another), the great end and use of church government is disappointed. For what use is of so great care for the hedge of the vinyard to keep out the ravageing boare, the furious husbandmen will tread it downe and safe the boars labour. But the more doth the madnes appear in founding the destructive contest, not on whither wee shall have a hedge or not, but whither it shall be cut out in a low equall hedge, or of a higher, and with some hights and howes of a batlment. And in our state to be contending for such purchases which are only gott in to be fasht to lay them out againe, and were our contentions less wee would be less sollicitous for them, and gaine more by them, &c.

72. JOHN, SECOND DUKE OF ARGYLL, to the MARQUIS OF ANNANDALE. London, 24 March 1705. He has, by the Queen's orders, written "to the Chancelor to lett him know she will have no sentence put in execution upon Captain Green and his men till such time as her plesure be known in the affair to the councel, and that she will have all the paipers relating to the tryal sent up." [The Marquis of Annandale had, a short time before, been appointed Secretary of State. He was also nominated High Commissioner to the General Assembly.]

73. COPY LETTER, the Privy Council of Scotland to Queen Anne, in relation to Captain Green's crew. 3 April 1705. They hope they have alreddy satisfied her Majesty "concerning the proces and sentance against Captain Green and his crew, and the reprive your Majestie pleased to requyre and authorise us to give them. We have allready sent the whole proces, inditement, pleadings, probation, verdict, and sentance, with tuo confessions of Linstead and Haynes, tuo of these

condemned, that plainly confirmd the proceedings in that tryall, to be laid befor your Majestie; and we are more and more persuaded that if the first orders for a reprive had not come so soon, the greater pairt of them might have confest, as on Brucklie, who is another of these condemned, hath since done, with a new and most convinceing evidence of the murder as well as pirracie and roberrie, and all committed on Captain Drummonds ship as Haynes formerly deposed." They also state that they have, as requested, reprieved the accused until the 11th instant, yet with all submission and in the pure conscience of their duty, they intreat the Queen to grant no further reprieve or remission. "For after a tryall so legall and solemn, of such atrocious crymes, discovered by so observable a providence, and after the confirmations we have allready had by so many after confessions, we must in humble dutie take the libertie to assure your Majestie, that it is the great concern of your Majesties service and the earnest expectation of all your people, not otherwayes to be satisfied, that the publict justice of the nation be allowed to proceed without any farder stopp; which we are persuaded your Majestie will approve, for a crewell horrid murder, alse well as pirracie and roberie, being now manifestly discovered to have been committed on your Scots subjects. We must again represent to your Majestie that no furder reprive should be granted. We are," &c. Signed by sixteen Privy Councillors.

74. DRAFT LETTER. The Marquis of Annandale to Queen Anne [26 April 1705]. He informs her that the General Assembly of the Church have "managed all there affaires with great order and unamittie, and with the greatest deference and duettie to your Majesties authoritie and government. The warme expressions off there affection and loyaltie to your Majesties sacred person att their parting, ass weell as in all theire proceedings, wes most satisfieng to all your good subjects heare, and they have such a duttifull and gratefull sense off the unvaluable blissings they enjoy from your Majesties countenance and protection that it may be expected in theire stations they will behave themselves as becomes the most faithfull off your subjects," &c.

75. DRAFT LETTER. The Same to [probably Lord Godolphin] [26 April 1705]. He intimates the closing of the Assembly in terms similar to those in the letter to the Queen. As to Captain Green's affair, he says, "I kno nott how to tutche thiss unluckie affaire off the English shipps crew, for the character I have carried hes keeped me from annie intermedling in that matter. Butt I must say had all her Majesties servants acted that vigorous and dutifull part that became them, the insolencies and irregularities, spiritt and ferment of the people, had never come to annie highth. Butt the appearance that wes made in the first instance against her Majesties commands transmitted by her Commissioner, and the absenting off some off her chiefe officers off state, gave life to thiss shamefull business, which ought to be detested and abhorred, when itt is considered what appearances and insults the mobb were guiltie off upon thiss occasion, such as never hes been practised in my tyme nor in the age befor in this nation. [This is one of a series of letters written by the Marquis of Annandale to Treasurer Godolphin, but they are not sufficiently interesting or definite to be reported on. In one, however, of date 9 May 1705, he recommends Sir Gilbert Eliot as a member of the Court of Session, who was appointed and took his seat as Lord Minto.]

76. REV. WILLIAM STUART, MINISTER OF KILTEARN, to the MARQUIS OF ANNANDALE. Kiltearn, 2 June 1705. He has a thankful remem-

brance of his lordships conduct in the General Assembly, which was much to the comfort of the national church, particularly to the writer's own parish and others in Ross. He is encouraged, therefore, to tell the Marquis of a great grievance. "In short, my lord, its this. There is a powerful clann in Ross calld the Mackenzies. They combyne together to stand out against Presbyterian government. I wish heartily they be friends to the civill government as now established upon the Revolution footing. There are two of ther number chosen shireives, the one principall, the other deput. From this did the rabble at Dingwall, the exorbitant fines and bonds imposed on my parish arise and flow. Now if the shireiveship could be brought out of their hands and put into the hands of such as would be friends to the government, civill and ecclesiastick, it would be a remedy of the former evills." The Sheriff Principal is now recently dead, and the writer urges that the Council should appoint Sir Robert Munro of Foulis to the vacant post, as he is friendly to the government.

77. DRAFT LETTER. The Marquis of Annandale to Sidney Lord Godolphin. 18 July 1705. "I am heartillie sorrie I can give your lordship no better account off the proceedings off our parliament, for yesterday the Duke off Hamilton, Duke off Atholl, and all there frinds unitted there fullest force to oppose and defeatt the treatie whiche wes proposed by the Queen's servants. After a verrie warme debaitt itt came to the vott—proceed to a treatie with England, or to limitations and regulations of our constitution—the last carried by three votts. I used my best endeavors to advance the treatie, since the parliament had concluded themselves by a resolve not to name the successor without a previous treatie, and I took nottice off the dissingenuittie off those who had pressed the resolve, in which they declaired a previous treatie essentiallie necessare befor wee should name the successor; and yett now that a treatie wes proposed, these verrie persons did opose itt and declaired itt wes neither honorable nor saiffe to treate with England att this tyme; soe that they had engaged the parliament in a resolve whiche they never designed should take effect. The Duke of Hamilton took thiss to himself, as he might weell doe, and seemed to think it wes hard upon him. Butt the houss seemed generallie to be sensible that hiss Graces apearance could beare no better construction. I wishe wee may be able yett to retrive thiss point off the treatie. Butt I am affrayed itt may be hard eneugh, and that they will endeavor to clogg itt soe as the queen cannott pass itt. For they are now verrie plain and above board in all there speeches and proposalls." He wishes for the necessary supplies for the forces, and thinks, "the sooner there is ane end off thiss session off parliament the better for the queen and this nattion."

78. SIDNEY, LORD GODOLPHIN, to the MARQUIS OF ANNANDALE, in reply to the above. 23 July 1705. He is sorry to find that "the parliament have precluded themselves from going upon the settlement of the succession till a previous treaty, but since they could not bee hindred from that step, the next thing to bee wished is that their act for a treaty may not be clogged with any other matters foreign to it, which will make it not possible for the Queen to give the royall assent to it." The Queen agrees also with Annandale's opinion in the other matters referred to.

79. [THE letters for the next three years are extremely meagre and unimportant, considering the events then taking place. The Marquis of Annandale was withdrawn from his post of Secretary and again

named President of the Council, a post which he declined to accept. He took an active part in the elections of 1708, and one letter at least refers to this.]

Charles, third Earl of Sunderland, to the Marquis of Annandale. Whitehall, 3 July 1708, "My Lord,—The part your lordship, has acted in this late struggle that has been in Scotland has been so extreamly right to the publick and so honourable in your lordship, that I must beg leave to return you thanks, nott onely in my own name, but that of all our friends, whom your lordship may reckon upon as entirely your servants; and whatever different opinions we may have had in relation to the Union itself, I am sure we shall agree in making it as compleat as possible, and as happy to the whole united kingdome. And tho your lordship is nott return'd one of the sixteen, [representative Peers for Scotland], I don't doubt but upon the protestations we shall do you right by bringing you into the house. I beg leave to congratulate your good success in the election of my Lord Johnston. I hope your lordship and the rest of our friends will come up hither as soon as may be, that we may be appris'd of the whole state of this affair in relation to the elections of both lords and commons among you, and of the irregularities committed by the subaltern ministry there and their dependants, which if made out, as I hope they will be, will effectually rid you of that tyranny," &c. [In reply to this letter, and also to other members of the government, the Marquis wrote vindicating his own principles and conduct, and protesting against the efforts made by the Duke of Queensberry and "all his shamm ministree" to exclude him from the sixteen. These letters are not important, but the two following, addressed to Queen Anne give his views on some points].

80. Draft Letter to Queen Anne from the Marquis of Annandale [not dated, c. 1708–1711]. "Madam,—I hope these gentlemen who had your Majesties commands to manadge the last elections in Scottland, have done me and the other Scotts peers the justice to lett your Majestie know with what cheerfullness wee went into these measurs which they layed down; and I hope your Majestie hes found us all very unanimous in these motions which have been made in parliament by your servants. For my own part, I am fully resolved to concurr in every thing that shall tend to the support of your Majesties honor and authority. Att the same tyme, I think my selfe in duety bound to take notice to your Majestie that wee are under two severall discouragments. One is to find so extraordinary reservedness in some of these who manadge your affairs; the other is, that these who opposed your servants att the late elections are still possest of all the marks of your Majesties favor. As to the first, Madam, I have allwayes been of opinion that a great deal of deference ought to be payed to those who are intrusted by the soverain, and a due measur of secrecy in the conduct of publick affairs is both proper and necessary. But this too, has its bounds, Madam, and some circumstances which appeared in the manadgment of the late motions and debates in parliament give ground to think that some people have been too reserved in their concerts, especially with regaird to these gentlemen who were to bear a good share in the debate. As to the other point, Madam, I think its every mans duety to serve his soverain without waiting a reward, and for my own part the many discouragements I have mett with shall not slacken myn. But, your Majestie, please consider, wee, who entered into a concert to elect non but such as should declare their resolutions to support your Majesties authority and prerogative, had a strong party to deal with; and after wee had, as we thought entirely fixt our concert, wee were surpryzed by

a difficulty throwen in our way by a letter from Duke Queensberry, who very eagerly attempted to have Earl Glasgow, Leven, and some others putt upon us. How farr Duke Queensberry had your Majesties directions for so doing, your Majestie best knowes; but that letter with some other difficultys from Earl Seafeild and the Earl Stairs family, went very near to break these measurs layed down by your Majesties servants, and to give advantage to a party in Scottland which had all along followed the measurs of some gentlemen here in England who are now under your Majesties displeasur. These very gentlemen who gave us that disturbance att our elections are in a manner the only Scottsmen in possession of your Majesties favours, and this, Madam, in my humble opinion cannot faile of beeing a very great discouragement to these who with a design to support your Majesties authority have taken upon them the prejudice of that whole party att home, and have putt themselves to the charge of attending the parliament here. Wee are told indeed of a prudentiall consideration for delaying any alterations which may be intended, that the malversations of some offices and boards here are to be exposed to make way for these alterations. This indeed carryes a great deal of reason along with it. But first, I begg leave to take notice to your Majestie that this prudentiall does not reach any alterations in Scottland. The conduct of these gentlemen I have spoke of does arise from their principles and from their practices in concert with the former administration and att the late elections, which cannot be further exposed in publick, but they are so farr knowen to every body in Scottland that their continowing in possession of your Majesties favors is no small check to all these who wish well to your Majesties prerogative and who concurred cheerfully to gett a well disposed representative from these parts. Besyds, a great many people pretend to observe that some men not long ago, under the pretext of secrecy in councills and a prudentiall trimming in the disposall of imployments, had ingrossed to themselves the absolute conduct of affairs and the entire disposall of places, rather with a view to their own privat interest than that of the publick and some people stick not to say that other men may perhaps follow the same course. I begg your Majestie may pardon this freedom I doe not pretend to give this as my own opinion, but it is no secret that a very numerous and a very substantiall part of the present parliament have joyned themselves into a clubb upon this very ground of jealousy, and I looke upon it as my duety to lett your Majesty know of it, and wish it may not have badd effects in divyding honest men."

81. Draft Letter to Queen Anne from the Marquis of Annandale, on his appointment as her Commissioner to the General Assembly [April 1711]. "Madam,—Your Majesty is pleased to honor me with your royall commands of going your commissioner to the General Assembly in Scottland. Madam, there are severall circumstances concurring att this tyme to perswade me to avoyd this affair, but I have allwayes entertained that duetyfull regaird to your Majesties royall person and authority, that I am resolved never to dispute your commands, and therefore I own myselfe ready to obey your orders in this matter. I shall only begg your Majestie will allow me to lay before you some circumstances in this affair, which may in some measure regaird your Majesties interest. There are not wanting some people who pretend to amuse the world with frightfull stories of resentment and danger from the Presbiterians in Scotland. I beleeve, Madam, I know the strenth and complexion of the Presbiterians as well as other men, and I am non of these who are possest with such affected prudentiall fears. I can

observe nothing in the course of your Majesties administration of late which can give any just ground of jealousy or offence to these people; and so long as publick measurs are kept within the compass of law and justice, if any sett of people, be who they will, shall forme jealousies to themselves and shall promote resentment upon such false grounds, your Majestie may be in no fear; you will not want freinds to support your administration, and these mistaken jealousies will rebound upon the authors. This Madam, is my opinion with respect to the state of the Presbiterians att present; but, att the same tyme, I begg leave to think it is your Majesties interest to fortifye your own authority in the person of your Commissioner to that Assembly, by some such mark of your royall favor to him as may encourage your freinds there, specially if I am to have that honor, who since I had the misfortune to be layed asyde from your Majesties service, have never yet had any mark of your royall countenance." He has always acted, as he believed was most for her Majesty's interest, and he appeals to the evidence of others to this effect. He then proceeds, "What I here mean is only to insinuat to your Majestie how farr it may be expedient for your own service that your Commissioners authority be fortifyed by your countenance. And I doe this the rather that severalls of my countrey men are now actually possessing marks of your Majesties favor, who at this last period openly opposed your measurs and may perhaps doe so still under the skreen of your Majesties favour. I shall allwayes carry that deference to my soverains administration to think that tymes and seasons of making alterations or any other publick measurs are not to be pryed into; but it is a maxim which will allwayes prevail, that men who have the favor and countenance of a government will gett more credit than these who have not." He offers these things to the Queen's consideration, and is ready to take her commands in this affair, as she shall think fit. [He did become Commissioner, and the next letter refers to the progress and close of the Assembly.]

82. Draft Letter. The Marquis of Annandale to Robert Harley, Secretary of State. 28th and 29th May 1711. He thanks Mr. Harley for laying his and the Assembly's letter before the Queen, and is pleased to know that she was satisfied with him. ". . . And now, Sir, I believe it will be satisfieing to yow that I can give yow ane account that this day about one of the clock, I put ane end to this Assemblie, and I think I may assure yow that never any Assembly parted with greatter satisfactione and mor intire trust and confidence in her Majestie and her ministrie than this have." He then praises the conduct of the Assembly in the usual terms. He thinks "all fears and jealoussies that wer industriously dispersed among them, are for this tyme intyerly carried off, and I must say the prudent manadgement and conduct of the moderator [the Rev. William Carstares] hes influenced and directed the wholl course of ther affaires and as he hes given the greatest prooff of his sufficiencie and moderatione, so he hes of his dutie and affectione to her Majestie and government. . . . I beg leave to recommend to you, sir, the affair of Aberdain; you have a letter from the minister of that place annent this matter. He deserves encouradgement. He is a verry sufficient man, and capable of being usefull to her Majestie and her servants here. The ministers in the northern parts have met with verry illegall and unaccountable discouradgements in the planting of vacant churches of late, and it makes them so uneasie that I had great difficultie to prevent representationes from the Assemblie upon such heads, which I know wold not have done so well; for if they had begun to represent upon anie head, I know not

whair they might have ended. To prevent this in tyme comeing I think they ought to have the protectione of the lawes, as they may have accesse, to plant vaccant churches in a legall manner. I beg pardon that I should be oblidged to give you so much troble. . . . I have no other project but the service of the queen and this part of the unitted kingdome; and I am confident it will not only tend much to the interest of her Majesties service here, but be for the peace and quiet of her government over the wholl, that a good understanding be preserved and maintained with the established church of Scotland, and I am verry hopefull that a litle discreet and good managdement may prevent any interfeirring betwixt them and ther neighbouring church of England." The writer begs Mr. Harley to believe he sincerely designs the queen's true service. [In the following November, 1711, Mr. Harley, then Earl of Oxford, offered the Marquis a commission as Chamberlain and Chief Commissioner of Trade, but he declined the appointment, on the ground he knew nothing of the subject, adding,— "I had the misfortune the verie year before the Union to be soe summarlie turned outt from beeing secretarie for Scotland, and off beeing ill used by the laitt ministrie, that I was putt under a necessitie off refuising to accept off the president off councils post, becaus then I could nott be serviceable, and therefore I must beg leave to say that unless the queen have commands for me in some setled and fixed post in her service, I cannott see how I can propose to be usefull to her interest and service." As a result of this, the correspondence for the next few years is of no historical value.]

83. Letter to the Marquis of Annandale from J. Robethon at the Court of Hanover. [In French.] "Hannover, le 3 Aoust 1714. The writer is charged with compliments to the Marquis from the Prince and Princess Electoral, and the Elector [afterwards George I.] will not fail when the letter is reported to them. "Ils vous sont tous fort obligez, my lord, du zèle que vous continuez a temoigner pour leurs interets. Au reste, il ne me paroist pas que vostre voyage à Hannover pust estre à present d'aucune utilité. Vous trouveriez tout fort changé icy depuis la mort de Madame l'Electrice, et nostre cour n'a plus les mesmes agrements. D'ailleurs Monseigneur l'Electeur, le Prince, la Princesse et le Duc Ernest iront, a la fin de Septembre, passer 2 a 3 mois au Göhre, maison de chasse a 15 mille d'Allemagne d'icy, *where no strangers are admitted*, et pendant l'absence de la cour, *Hannover is the dullest place in the world*." As for English affairs, it is no longer thought fit to send the Prince there, as the Queen, in her letters to their Highnesses, is so much opposed to it. Lord Clarendon is there and will have an audience. The King of Prussia has been there for three days, but goes in the morning for Berlin. (Signed) "J. Robethon." He adds: "I dare not write more att large for fear of my letter being opened or intercepted."

84. Copy of the Address by the Peers of Scotland, presented to King George the First, on 15 November 1714. The necessity of the address, they say, "arises from our being declared incapable of patents of honour, with right to sit and vote in your parliaments. They [the peers] have, during many ages, enjoyed an hereditary share of the legislature and signalized themselves in the service of the Crown. They are now distinguished from all your Majestys subjects by a disability to partake of the influence of your royall prerogative. . . . We humbly hope while your Majesty, with the acclamations of your people, the joy of your allies, and the amazement and confusion of

your enemies, gives reall peace to your faithful subjects, and compells even those enemies to be happy, that the peers of Scotland shall not be alone unfortunate, that they whose families have with zeal and success devoted themselves to the service of your royall ancestors, and who will alwayes endeavour by their fidelity to merit your Majestys favour, shall not now be fated to drag doun to all posterity an hereditary penall incapacitating peerage." . . . Signed by ATHOLL, MONTROSE, ROXBURGHE, ANNANDALE, LOTHIAN, MARISHALL, MAR, SUTHERLAND, ROTHES, BUCHAN, HADINGTON, LOUDOUN, WEMYSS, FINLATER and SEAFIELD, LAUDERDAL, SELKIRK, LEVEN, FORFAR, DUNDONALD, ORKNEY, DUMBARTON, DUNMORE, STAIR, DELORRAINE, PORTMORE, ILAY, KILSYTH, NEWHAVEN, OLIPHANT, JEDBURGH, BELHAVEN, BELLENDEN, and FORRESTER. [The king replied that he would do any thing in his power, that was reasonable, to give satisfaction to so considerable a part of his subjects.]

85. COPY LETTER, Robert Corbett, provost of Dumfries, to the Marquis of Annandale. Dumfries, 12 October 1715. He sends Bailie Corrie to acquaint the Marquis of an express from the Lord Justice Clerk, intimating "that a considerable number of disaffected persons, both on the Scots and English borders, were to have mett, Munday last, in the west of Teviotdale, and then if they receaved no contrair orders from their own faction yesterday they were there to display the Pretendars standart under the command of the Viscount of Kenmuir, and one of their main designs is to seize this brugh." The writer had sent expresses for aid, and most well affected gentlemen and others from Tinwald, Torthorwald, and Kirkmaho parishes had come in to help. He thus explains that the burgesses cannot attend the general rendezvous of the shire to be held at Locharbriggs, and he begs the Marquis to assent thereto. "There is likewise come with the bearer, one M^{r} Frazer, who calls himself brother to the Lord Lovit, who with his said brother, ane aged man of about 60 years, and about six servants come to this place yesternight. Whom being challenged to give account of themselves, M^{r} Frazer produced a pass said to be from Secretary Stanhope. But his brother producing no pass, by the advice of the deputy livetennants of Galloway, who are here, we have caused sett a sentury upon them till we hear your lordships orders annent them." . . . (Signed) "Rob^{t} Corbett."

86. DRAFT LETTER. The Marquis of Annandale to Brigadier-General Thomas Stanwix. Dumfries, 14 October 1715. The writer, as Lord Lieutenant of Dumfries and other shires judges it necessary to keep up a correspondence with the General, and therefore writes that a party of rebels headed by the Earls of Nithsdale, Wintoun, and Carnwath, Viscount Kenmure and others, numbering 200 horse well mounted have got together about Dumfries. They had tried to capture the writer but failed, and now design to attack the town. The writer asks for arms, ammunition and officers, to command the country people. He desires information from the General.

87. BRIGADIER-GENERAL STANWIX to the MARQUIS OF ANNANDALE. Carlisle, 14 October 1715. He is sorry to find the rebels are troublesome. He believes the most of them have left Northumberland. He will do all he can to support the Marquis and his friends against the rebels. "I had a certain accompt this day that they are not above 400 in Northumberland which goe by the name of Darwentwater or Witheringtons men. They had a designe upon Newcastle, but are dissapointed. I had this evening a letter from the Mayor of that town,

who tells me Sir Charles Hothams regiment of foot is come there, and a regiment of draggoons, so they are very strong, which I am glad of, because they were pretty much exposed, being but an open town, and not well affected. As for this place no people ever were more hearty nor more honest, and the garrison very much improved. As to the fortification, we are in a very good posture to receive them [the rebels] if they come this way. All we want is draggoons (to keep the Boarders in ordre) which I expect every moment, and then they shall hear of them. . . . I have, since I began to write, an express from Berwick giving me an accompt that a master of a ship had come directly from France, and with his ships crew surprized Holly Ileand, where there was a great store of ammunition and a good round number of arms. The master of the ship immediatly made his signals for the rebels to come to him, but they were march'd from that part, and they perceiving it from Berwick did immediately march with 100 men and retook the ileand, town, and castle. The master of the ship in dispair threw himself into the sea, and was allso shott but yet taken up alive, and 'tis believed would live. All this your lordship may depend upon, for I have it from Captain Philips the engineer now at Berwick, who commanded the 100 men." He hears from Newcastle that the rebels are in a deplorable condition, and miserably disappointed in the numbers they expected. Accounts from Edinburgh also state "that the chiefs of the rebell clans had been seem to weep and declare themselves mizerable men."

88. W. MAXWELL, Glasgow, to the MARQUIS OF ANNANDALE. Glasgow, 15 October 1715. He is glad to learn the safety of his lordship, and of the town of Dumfries, as it had been reported that the Marquis had been surprised by the rebels. Glengary, Appin, and Lochiel are marched with their men, but whether to join the Earl of Mar or proceed towards Glasgow, is not known. He gives other items of military news. "All care is taken to preserve this place from ane insult, and if any detachment of the enemy march this way so as wee be advertist of their coming, quhich wee think cannot fail by the correspondance establisht, uee will endeavour to meet them. If their main body should march, the duke [of Argyll] wold also march and attack them, and for that end the highwayes are repairt by his Graces order so as canon may pass, and a bridge of timber [is] nou a building over the Lagie [Luggie] water at Carntalloch. I am affraid that thos quho have passt into Lothian are marcht southward, so your lordship wold be on your guard," &c.

89. DRAFT LETTER. The Marquis of Annandale to Brigadier-General Stanwix. Dumfries, 16 October 1715. The party of rebels who had appeared there had increased by others joining them in their march, from Lochmaben to Ecclesfechan on Friday, and this day (Sunday) to the English border. They are not rebels from Northumberland, but "our owne people about this countrey." They evidently expect assistance from England as 1000 Highlanders had possessed themselves of Haddington, &c.

90. BRIGADIER-GENERAL STANWIX to the MARQUIS OF ANNANDALE. Carlisle, 17 October 1715. The party of rebels referred to by the Marquis had formerly been with Derwentwater. "They are now gon, I suppose, to meet that lord who came last Fryday night again to Hexham, left his wholl partie in that town, except thirty, which with several gentlemen he took to his own house, where they stayed all Saterday, and I believe are there still. It looked to me as if he was

going about to drop those poor people he'd drawn in. I had certain accounts of several of them that left him, and went to their own houses. I own I can't see what they drive at, since it is certain all to the southward of this place is as tranquill as one could wish. As for Cumberland and Westmerland, they could never expect many from them, because the disaffected or Romains are but a very inconsiderable numbre, and as for Lancashire we hear not of one man that stirs, and sure the government (who knows that countrys inhabitants) have a jealous eye upon them at this juncture, and no doubt some assurance of their not stiring. So what it is the Earl of Mar can propose to himself by sending the 1,000 men yow mention over the Forth, I own it looks suspiciously, but hope it was in pursuance of their first sceem, when they expected a riseing in England. However, lett that be as it will, we must use the uttmost caution and nothing shall be wanting on my side. I fancie when Generall Carpenter comes with the thre regiments of draggons, which will be in a day or two, we must contrive to meet and forme some project of joyneing your lordship's horse with the millitia of this county, and the regular draggoons upon such occasions as may send most to the service of the publick." He only offers this as "an undegested thoght" of his own, and desires the opinion of the Marquis.

91. HENRY, VISCOUNT LONSDALE, to the MARQUIS OF ANNANDALE. Carlisle, 18 October 1715. Chiefly to intimate that any aid the Marquis can have from that country will be small, as though they are able to defend themselves, the country people are unwilling to go far from home, and would be of no use against the rebels who are on horseback. "But in case your lordship shou'd be attacked and think that 4 or 500 men, armed with such weapons as the country people can get, will be of any service to your lordship, I hope I may be able to joyn you with that number when you shall think it necessary, and will give me notice." But as he cannot keep those men out above a week or ten days, and must pay them from his own pocket, he prays the Marquis wont send for them, unless they are to be serviceable.

92. The MARQUIS OF ANNANDALE to BRIGADIER-GENERAL STANWIX. 19 October 1715. (Draft.) Intimating that he must leave Dumfries next day for Edinburgh. He reports that the Highlanders had advanced from Haddington towards Edinburgh, but as the Duke of Argyll was there with a detachment of horse and foot, they turned to the citadel of Leith; "but preparatione being made to attack them in the morning, they gott off by night to Seaton House, where on Sunday they were blockit up, and I hope all prisoners befor this time. Severalls were made prisoners that were taken by the way to Seaton House. And the men of warr in the Firth hes taken 80 prisoners on their passage, and obleidged 4 or 500 to betake themselves to the Isle of May, where its thought they must starve or surrender." He has left orders as to the care of the district with his deputy lieutenants, and begs Stanwix to write to Sir William Johnstone [of Westerhall] if necessary.

93. SIR WILLIAM JOHNSTONE OF WESTERHALL to the MARQUIS OF ANNANDALE. Dumfries, 20th October 1715. Several of Kenmures party have come back, particularly Nithsdale, Glenriddell, and Wamphray, and Lag, younger, had sent a message that he was willing to come in and find bail. He desires commands as to this. The Galloway gentlemen are entirely marched off with their men. Their own country

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people have come in, but want arms. He had just received and opened the enclosed letter [from Lord Stormonth] "I have with the advyce of Craigdaroch wrot back that if his lordship will come in he shall be civilly dealt by and only keept by centries at his doors and windowes till your lordships mind is known, which I hop you'll dispatch with all expeditione. Thus, my lord, youll break the knott in this country, and I hop bring the king's government to quiet without blood." "Mr. Stewart offers baill of three hundered pound to present himself in a week at Edinburgh to my Lord Justice Clerk," as to which also he desires an answer.

94. DAVID, FIFTH VISCOUNT OF STORMONT, to WILLIAM, MARQUIS OF ANNANDALE. 20 October 1715 [referred to in preceding letter]. "My Lord,—I presume by this to informe your lordship I was surprised to understand my house was searched for me yesterday and garisoned. My lord, I have given no offence to the government, except in not obeying a citation which nothing hindred me from but the fear of a prison, considering the present bad circumstances of my health. But such is the entire trust I putt in your lordship, that ill as I am I resolve to wait upon your lordship to morrow at Dumfreise and surrender myself, &c. (Signed) "Stormont." [The Marquis replied that if he had known the Viscount's design he would have stayed at Dumfries to make him as easy as he could. But he assures him he will endeavour so effectually to recommend his early submission to the king, as to entitle the Viscount to his favour.]

95. COPY LETTER. Sir Patrick Maxwell of Springkell to William sixth Viscount of Kenmure. 31 October 1715. He is sorry his lordship had not advertised him that he might have afforded him a complement of men. "Pray let me know what I shall do to raise them or not, to be with yow or to keep the Borders," &c. (Signed) "Pat. Maxwell." . . . If, please God, yow gaine Dumfries put out a proclamatione that yow are for defence of your countrie's property and libertie, and order sermons in the church by your own ministers, and lett them preach the same, and order that all who do not go to hear sermon to be seised upon, that the commons may hear and beleave the reasons of yowr taking arms."

96. The SAME to SIR WILLIAM JOHNSTONE OF WESTERHALL. Kirkconnell, 4 November 1715. (Copy). "Sir I am glade my letter found yow well in body, tho' not in mind, being yow did not fully answer my letter as to the militia. Yow put unpossibilities upon my tennants who I told yow were to releive me of stents and taxations, especialy of foot militia, and yet require them to come in with arms, when your sanhedrim are the only occasions they want them, for they were threatned and robed when they had them. Another reason is a great many of my men are drovers, and not yet come from England, so the half will not take burden for the whole. I desire yet a little time till the rest come home, and a safe pass for a part at present to buy arms, or I must send them naked when yow call. (Galatians 5, 15, &c.) Yow talk of my being absent from my house, when I went to visite sick people and my friends. I think it was more charity then to stay for your guards. I wish with all my heart, Sir William, that yow had skill in physick, then yow would be more happy in the blessings of the poor then in your imployments or wordly concerns. Pray let me know if I can live without trouble at home, for I would not go alongst with Kenmure, nor give him a man. But I am in the conditions of those

whom the ministers, in the 1642, preached against most severely who were guilty of the damnable sin of newtrality. Yow are not in that sin. I love to live quiet if I can. Tell me what yow would have me to do, if possible, for I cannot observe impossibilities," &c.

97. Sir William Johnstone to the Marquis of Annandale. 4th November 1715. Letters from Argyll and others to the Marquis had been intercepted by the rebels, as also his own report. "On Monday I went with Major Campbell through the works to be done, and that night got to Lochmaben on my jorney home, to look after our malitia. On Teusday, by nyne in the morning, I meet on of my servantts with letters of the rebells desinged march to attack Dumfreis, upon which I returned, and that night dispatched expresses to everry deputty livetenant, and minister, and the event is that we have this day 1,300 verry hearty but bad armes in Dumfreis. Our works are so weell done that we wold have stood our ground against thrice the number was against us, and not run for it, as Kelso, for which I hop they have payed. Major Campbell hes been verry active, and all the half pay officers most dilligent. I had sent severall expresses both to Carlisle and Carpenter, of which I have returns by me, and sent Arkelton first, quho reached him, and last Earleston and Bearholme to him who missed of him, he being gone in persuit or to be befor the rebells, I knou not which; only this I dare affirme, had Sir William Bennet (quhos advyce he wrytes he followes) sufferred him instantly to have followed the rebells, Mr. Carpenter had got them ere they had got to Branton. [Here follows a notice of the progress of the rebels, which it is unnecessary to detail]. He sends a copy of a letter to the Duke of Argyll, a list of prisoners, and some intercepted letters. As to Stormonth, he dare not trust him on the road, lest the rebels go towards Edinburgh or Glasgow, and since their turning his way he has his hands full. He believes that the Master of Stormonth will join him, but Nithsdale is gone with the rebels. His son John has been chosen captain of the volunteers. "They are gone to the Borders to catch straglers, and to bring up from the Langholme a cannon and one other piece of ordinance from the Langholme which the rebells left." He has received news that the rebells on Thursday "went to Penrith, whair my Lord Lonsdale had conveened the posse of the county near to 15,000 [*? sic*], but without armes, who run for it on sight, and my lord with about 100 light horse wer oblidged to make the best of ther way. They [the rebels] then advanced to Appleby whair the posse of Westmoorland wer, who also disperssed, being without armes. That they take all horsses they can get, and seases persones and dismisses them for ransome." One person had seen, near Penrith, "the foott mounted two and two upon on horse, and that they were sore fatigued." After a reference to General Carpenter's march in pursuit of the rebels, and some information about the raising of the militia in Scotland, he states that Stanwix had sent him a copy of Sir Patrick Maxwell's letter to Lord Kenmure [No. 95 supra], and he had also a line from Sir Patrick about the militia [No. 96 supra], "contradictorry in every poynt and shifting his duty in raiseing the militia." He suggests Sir Patrick's apprehension. The letter concludes with further reports as to the rebels and their pursuers.

98. On the same sheet of paper with an unimportant letter from General Stanwix, is written—

"Copie of the instructions given to the Magistrats of Drumfries by the deputy lovetennants of the shyre of Drumfries, stewartries of

Annandaill and Kirkcudbright. Imprimis. That the magistrats of Drumfries be provyded with ammunition necessar, and that the bullets be cassen in severall caams, both for muskets and cannons, and that cartarages be made. 2nd. That ane express be sent to Whytehaven to know what arms can be had ther for money. 3dly. That orders be given for making of bagonets. 4tly. That Bailly Corrie and two or three to attend him be sent to waite upon the rebells motion, and to send expresses dailly of the enemies motion, and to take notice of the enimies passage by Kysock road. 5tly. To write to Bailly Melvill to secuir all expresses goeing to or from the rebells. 6tly. That the pryces of hay and corne be regulate within the toun of Drumfries. 7tly. That no expresses or posts go off without acqwanting of the deputy lovetennants."

99. CHARLES, SECOND VISCOUNT OF TOWNSHEND, to the MARQUIS OF ANNANDALE. Whitehall, 8 November 1715. The king is satisfied with the Marquis's account of his district, and with his zeal for the royal service. The king also approves of the making the Viscount of Stormont a prisoner. "Neither would it be proper that any who have appear'd in rebellion against his Majesty, or who have refused to obey the citation from the justice court should be admitted to any other termes," &c.

100. HENRY DUNDAS, Secretary of State to [JAMES, third Earl of Hopetoun]. London, 23 December 1792. He had been too busy to write. "The tide here is compleatly changed; all levellers are drooping their heads, and my only fear now is that they may proceed to any excesses on the other side. Every town in the country seems disposed to burn Thomas Paine in effigy, and the jury who tried him would not hear either the attorney-generals reply or the judges charge." Mr. Pitt and he are so sure of the disposition and temper of the country, they have ordered similar prosecutions before the quarter sessions in January. "Opposition is sunk to nothing, and Mr. Fox, after having made during the three first days of the session the most mischievous and inflammatory speeches I ever heard, has now found it necessary totally to succumb, and almost totally to retract every word he had said. Such is the tide of popular opinion and the current in favour of good order and government. I never was proud of being a minister before, but I do feel gratified in being one of those who I do think by their timely interposition of vigor and spirited measures have raised their country from despondency (for so it was for a near a fourth night), to its general dignity and elevation of character," &c. (Signed) HENRY DUNDAS.

101. The HONOURABLE MARY HOPE JOHNSTONE to her father, Vice-Admiral SIR WILLIAM JOHNSTONE HOPE, K.C.B. London, 22 July 1821. Describing the coronation of King George the Fourth.

My dear Papa,— . . . At 12 [midnight] I was roused completely by bells ringing, guns firing, carriages rolling and every outrageous noise that could indicate London gone mad. Began to dress and breakfasted at ½ past two . . . *on mutton chops.*" She and the Northesks at 3 decided on using Sir B. Martin's boat. "So off we sett to Somerset House and found the Strand line of carriages begun opposite the entrance. The morning was beautifull, and our silver shone most brightly under the rising sun. We landed at the Speakers Stairs, and met Lord Sidmouth, who directed us out through hundreds of lounging, half sleeping souldiers, who not being yet on

active duty, looked like the dead and dying after some great conflict, having been there from 11 the night before." The lady and her friends entered the hall where in traversing the passages she lost her party, but she and another lady got into the Abbey easily and got excellent places. "By 5 we were in the Abbey, and the procession did not move till 10. Quantities of friends came in during that time, but I could not get near one and amused myself with a beautiful little boy of eight years old in *full court suit*, with a sword and chapeau bras much larger than himself. He said he was son to a Portiguese viscount and godson to Lord Beresford with whom he staid for education." At 11 came the procession, "the King under a splendid canopy of cloth of gold, himself clothed in gold from head to foot, with a train of superb crimson velvet embroidered all over in masses of gold so long and heavy that the pages had to bear it on their shoulders; his hat of black velvet a la Henri 4th, with a splendid plume of white feathers, the pages habited in white satin and silver, with slashings of pale blue sattin and a little mantle of the same, of which the most beautifull was Lord Tyrone, Lord Waterford's son, page to Lord Beresford, a little fair curley headed boy, quite a child, but so intelligent and active, always foremost in his testimony of joy and delight. I can give no idea of the scene at the moment the King entered the Abbey, the whole choir singing the Hallelujah Chorus, which, with the drums, trumpets, and guns outside, were completly *drowned* by the shouts of enthusiasm from every corner of the Abbey, princes and people. The King was deeply affected. . . . The acclamations continued unbounded to the *indecorous* interruption of the service, particularly when the Archbishop of Canterbury read the Recognition and the anthem of May the King live for ever—it produced an effect upon every creature beyond description, ladies hankerchiefs, knights' caps, and peers coronets, all waving in the air amidst thunderings of God bless the King—our friend of Clarence's batton flying far above every one else, and the *Duke of Gloucester alone not moving*. . . . The most touching scene was the homages and affected every body beyond description. When the Duke of York went up and gave the fraternal embrace, which appeared from both with hearts of the profoundest affection, the King laid his head completely on the kneeling duke's shoulder for fully three minutes, grasping his hand. When they rose, the faces of both were in a state of tears and agitation quite dreadfull, and on the King's part almost alarming, but a few minutes took it off; and tho' he received both Cambridge and Clarence with marked affection, there was not the same profound emotion as with the Duke of York."

After this, the writer and her friend left to go to [Westminster] Hall, where they "got very excellent places in the front of the gallery and saw the procession move in beautifull order. . . . The galleries blazing with jewels and bright with silver, gold, and all shining ornaments; the sun shining brightly, and millions of gilded lamps and candles which gave the whole a soft glittering appearance beyond description in richness and effect; the tables for the banquet loaded with superb ornaments, and the quantities of massive gold plate decorating the royal table and side board; while moving up the centre of the hall was one congregated mass of gorgeous magnificence. Peers with their coronets, the quantities of white plumes and varieties of colours and dresses made it a scene beyond eastern splendour. Lord Londonderry and Prince Leopold as knights of the Garter were beautifull; the former had a hatband of diamonds 2 inches wide. Then the king in his crown of one mass of diamonds and purple velvet, his

train of purple velvet embroidered all over in the richest silver; and the closing mass of ambassadors, their wives, and foreigners in every uniform and colour one can imagine. Princess Esterhazy in a blaze of diamonds, and the old Prince Esterhazy in *the famous coat* which more resembled that of some fairy tale than reality, a hussar uniform, with six stars of the most splendid diamonds suspended by rows of the most magnificent pearls, and the epaulettes, back, seams, cuffs, and remainder of the breast, all embroidered in pearls; in his hat a large feather, aigrette, and band of diamonds, as also his shoe rosettes and buckles at the knees."

The king retired for a time, and all walked to and fro, it being 7 o'clock. The writer got a glass of champagne, the first thing she had tasted since two in the morning. At eight o'clock, the king was again announced, and all flew to their seats, when he shortly entered amid unbounded testimony of delight. "Then came Lords Howard, Anglesea, and Wellington on horseback to announce dinner, the gentlemen pensioners, 30 in number, bearing the golden dishes of meat just behind them and passing up between them in two rows to the royal table, where the clerk of the kitchen placed them on the table, the king sitting, with the princes on his right, and several nobles of state upon his left. The horses then retreated backwards, as also the attendants, and beautifully it was done by both Lord Wellington and Anglesea, but Howard was in a great fright, pulled the horse (Astley's) by the curb so tight, that in revenge he gave sundry very pretty plunges, the noble lord swearing like a trooper. The doors were again shut, and the dinner went on, but *all the spoons* were forgotten, and as the king eat only soup, he did not like the delay. That course ended and carried off in the same style, presently was heard a loud electrifying blast of the trumpet and a loud knocking at the gate, which announced the champion, every creature testifying the utmost anxiety and delight. He entered a few paces within the hall, and the challenge being read, threw down the gauntlet with an air of most determined unquestionable defiance which every creature echoed as *perfect*, which most completely said 'no one can dare to question the right I have espoused,' himself looking so fierce and austere that I scarcely knew him for the same man Sir Pulteney [Johnstone] had taken me to see practice his horse 2 days before. The gauntlet returned, amid loud cheering and trumpets again sounding, at the centre, and at the steps of the throne the same ceremony was performed, the horse as quiet as possible, yet going at a gracefull prancing pace, and the champion sitting so easily and gracefully that all the ladies were in extacies. On the final return and putting on of the gauntlet, the king pledged him and drank his health, upon which the cupbearer bore the same cup (a beautifull massive gold cup and cover of antique form), filled with wine, and presented it to the champion, or rather *Iron man*, for such he was, when he bowed to the king till his plumes touched the horse's mane. Then holding out the cup and raising his head and person most erect and warrior-like, when every one expected he would quaff off the contents in silence, in a voice that resounded to every corner of the hall deep and distinct, he said, 'Long live his Majesty King George the 4th,' and drank off the wine. I never saw any one so enchanted and delighted as the king, and it was even said at the royal table—what a pity had the few months of 21 prevented this young man from exercising what 'he seemed made for.' He then retired backing his horse with *one* hand only, the cup in the other, and went almost by a thread so straight, notwithstanding the kicking and plunging of my

Lord Howard's ill-managed steed, which with its ample tail nearly swept some of the gentlemen pensioners off the land of the living. The acclamations during all this time almost surpassed those at any other, except on the king standing up and drinking to his 'Peers and good people,' in return for their drinking his health, *then* indeed it was *quite too much*, but many was the tear of delight shed that day. The choir then sung 'God save the King,' and I may indeed say I never did before hear it sung with a shadow of effect; it was quite electrifying, particularly the stanza of 'Scatter his enemies.' After that was sung "Non nobis Domine," two gentlemen pensioners were knighted, and several other ceremonies of the presentations of different offerings—among whom I saw the Duke of Athol with his falcons on his arm, attended by his principle falconer; and about ½ past 8 the king rose to retire amid shouts that shook the very foundation."

The writer and her friends then went down into the hall, having rejoined Lady Northesk and her party. "We got something to eat and for some time walked about and saw all our friends like any great rout, but far more magnificent, and about ½ past nine got to our boat without difficulty after hopping over some hundred sleeping soldiers who had been on duty nearly 30 hours, but all in the greatest good humour. At 10 I was home, and putting a pellisse over the *remains* of my tattered and torn finery, took Mrs. S. and Miss Hope to see the fireworks in the Park and various illuminations which were beautifull. We drove till 12, after which I slept for 15 hours so profoundly that I never fancied I had been asleep!! but still was *dreadfully* tired. I instantly went to inquire for my friends and found all well except Lady Hampden, who had erysipelas in her ankle with pure fatigue, and to my amazement Lord Hampden as brisk as possible and laughing at her for being the worse. When he did homage, the king, in the most considerate manner on seeing his frailty, said 'That will do, do not kneel, Hampden,' and the Duke of York would not let him walk back in the procession but made him rest for 2 hours in his own room at the kings entrance to the Abbey. He was evidently depressed, and I should almost say, *apparently apprehensive*, which we fancy was the knowledge of the queen's intention; for the *moment* it was known and communicated to him that she had been, and no one caring for her coming and going, his spirits rose and he appeared a different man even in his walk, tho after so much additional fatigue. She [the queen] was *fairly 5 or 6 steps into the Abbey alone*, but took fright and said she must have her attendants. With only one ticket among nine, Lord Hood's, there was no chance of this; the doorkeepers were all respectfull but *determined*, so after 3 attempts at the Abbey she went to the Hall and tried with equal success, 4 different doors, ending with the great entrance, where she asked a common soldier if *he* had orders to keep her out. He said he had not, true enough. Upon this the king's immense porter snatched the musquet, saying, 'If you have not, I have, and there is no entrance for *you*, Madam, here or into any palace of my Royal Master.' She gave a sort of hysterical laugh and sent for Lord Gwydir and put the question to him. His reply was, 'If you do not instantly retire I must exercise against your Majesty the *force* with which I am authorised.' Lord Howard's words were nearly the same (and pretty strong for two peers who *voted for her last year!*). Her rage was dreadfull, she knocked the baton out of the hand of one of the constables ordered to see her to her carriage, and several gentlemen told me (who attended her in her various trials for entrance to see what she would do) that her language and swearing were so dreadfull

they could not repeat it—the mob returning it and always ending with 'Go to Como, Go to Como.' About 200 of her friends *did* get within the first barrier of the Abbey, which for a few moments made it unpleasant, but the number of military was effectual, one of whom was stabbed in the thigh." She then refers to two sudden deaths which took place during the ceremony in the Abbey. "In the Hall the high Stewart, Lord Anglesea fancied his duty done when the dinner was on the table and did not return, so a herald was sent to say his Majesty could not dine till he came and took the covers off, when Lord Anglesea was in great distress, not being allowed to ride except in announcing dinner, and as he said 'unable to walk with *his riding leg on*,' which caused a great laugh. So he had to be much supported but got along very well, tho much more lame than usual. . . . We were with many others amazingly lucky in getting off easily, for there were 2,000 ladies and gentlemen sleeping on the benches of the House of Lords at 6 o'clock on Friday morning. Five hundred carriages never got up to the Abbey or Hall to bring home the mistresses, and were seen standing in a string from Hyde Park corner, with many of the horses taken off and feeding at the side of the street and the servants asleep on the pavement. Frederic Hope took charge of Miss Kinnaird till 2, but grew too sleepy for further use, so a peer proposed they should repose together as his robe was large enough to cover both, and they slept for two hours, Frederic's cocked hat serving as a pillow to a lady reposing at their feet. Imagine the scene, the robed peers and feathered ladies all sprawling promiscuously on the benches, floor, steps of the throne in a sleep so profound as if they were enchanted. . . . I forgot an incident that caused much commotion at the banquet. Glengarry, in full Highland garb, getting into the peeresses' box and exclaiming 'he was defrauded of his rights in the refusal of some title,' drew from his belt a pistol and pointed it at the king! The horror it caused you cannot imagine. He was immediately pinioned and carried out by six constables. They found the pistols unloaded, but the circumstance was unpleasant and improper. Walter Scott seemed enchanted with the whole scene, and is the only person who can describe it. I hope he will," &c.

DIVISION II.—Correspondence of William, eighteenth Earl of Crawford, President of the Parliament and Privy Council of Scotland, and one of the Lords of the Treasury in Scotland, preserved in the Annandale Charter Chest.

Section I. State and Official Letters, 1689–1698.

102. George, Lord (afterwards first Earl of) Melville, to William [eighteenth] Earl of Crawford. London, 24th May 1689. He intimates that the king had appointed him Secretary for Scotland. "I hope it shall be my endeavour, through Gods assistance to cary myselfe so, in the station, in which in providence I am placed at present (without my interposing) as honest men shall have no just reason of complaint, so your lordship shall find me a concerned weelwisher to you and honourer of your selfe and family. What mistakes your lordship or others may have been in as to my cariage of late I doe not weell know, and I must confess it may be ane unhappiness in my temper that when I am conscious of innocencie, I am unconcerned as to vindications,

especially when what I have been or possibly am by some still accused off, hathe not any fundation nor so much for ought I know a shaddow off truth. My principells and my concern for the interest of religion and my country ar the same that they were when I was under harder sufferings for both; so I am resolved to be what I have alwaies been, my Lord, your Lordships most faithfull and humble servant, Melvill."

103. MARY, COUNTESS OF PERTH to "WILL RIDDOCHE" [apparently an intercepted letter], n.d. c 1689, "Will Ridoch, William Shithram tels me that ye said ye hade manie newes, therefor I have sent the bearer, William Fenton, to yow to whom ye may intrust a letter. Take ane large sheet of paper and wreat doun everie thing ye can think upon either conserning the king, Irland, the castell of Edinburgh, what prisoners are taken and what ye hear'd of Breadie that is in prison, who came with leters from the king; be sure ye forget nothing and be so plaine as that I cannot mistake yow. Tell me everie thing that Mrs. Ogelbie bid yow say to me and let me know if ye have letters for me from Duke Hamilton or from whom els. Reseue tuo dolers from the bearer, and stay in Stirling, till I com out. Mary Perth. Seall your letter, it will com saif.

104. The REV. WILLIAM CARSTARES to the EARL OF CRAWFORD. London, 28 May 1689. My Lord, though I have nothing to say, yet I can not forbear paying my dutie to your lordship, and assureing your lordship that it is my resolution to be a faithfull servant to your lordship and well-wisher to my countrey and true religion. I cannot tell my Lord, how perplexing it is to some to see that heats, upon grounds that many are affraid have litle or no connexion with the publick interest, should threaten us with ruin; but God will perfect his own work, and I am glad to hear that your lordship is directed to carrie with a moderation that can not but commend your lordship to his Majestie and all considering men. Your lordship knows his Majestie, and there is no reason to think that he is not the same your lordship left him; I cannot but blesse God we have such a Prince and lament that we have no greater sense of our mercie. As for my Lord Melvill, whatever mistakes he may be under, he is the same as to principles and respect to his countrey that he was when under greatest sufferings, and I am sure he is a sincere well-wisher to your lordship and your noble familie; and as to his mannagement in the high station he is in, I hope none concerned for the publick interest will judge rashlie of him, but will allow time to explain his procedure. All I shall say is that if now we can not be of a piece, I despair to live to see it." &c. "Your lordships most faithfull and most humble servant (Initialed) W. C.

105. SIR JAMES DALRYMPLE (afterwards first VISCOUNT STAIR) to the EARL OF CRAWFORD. Holograph but unsigned. Hampton Court, 30 May 1689. "My Lord, I doe very much rejoyce at your deportment all this tyme, not only faithfully for the comon interests of religione and liberty, bot with mor then ordinar prudence and calmnes, which hath given your friends heir so much opportunitie to highten the kings esteem of yow and care for yow, wherein my lord Secretar hath done your lordship right and kindnes, and nothing sall ever be wanting wherein I can serve yow without complement. Yow know I was so with your father all his lyfe. I have demanded no favour to me or myn, though I might possibly come as good speed as another; and if Sir Georg Lockart had lived and been acceptable to the natione, I shew the

king and himself that I would not claime my right to remove him, but his death puts a necessitie on me to returne to it, thogh it be of the greatest burthen and envy. I know the malice of som hath been indeavouring to raise dust against me, bot I have both the testimoney of my conscience and living witness that knew I was opposit to all the evil things was done whill I was in publick trust, and that they wer as many wounds to my heart, for which I was persued with mor keinness than any that ever was in publick trust, who wer never followed further then being removed, as I was, to strange nations. I am confident no wyse or just man will be so ungrate as to shew lyke prejudice against me on the other syde. I dar say without vanitie I have laboured as much as any to prepossess the king with the justice and necessitie of restoring our church, whereof he will be my witness. My dear lord, adieu.

For my noble lord, the Earle of Craufurde, thes.

106. GEORGE, LORD MELVILLE, to the EARL OF CRAWFORD. London, 18 June 1689. He had received the Privy Council's letter with others, and told his Majesty, who however had been busy. "But he this day told me that what arms and pouder could be conveniently spared from hence, were now shipping, which I am informed are 300 barrells of pouder and 2,000 stand of arms. What his Majesties further intentions are herein, your lordship shall know so soon as I receive his commands, as also as to what concerns the proclaiming of a warr against France and the disposall of the seals of the late king James, that you may communicate the same to the Privy Councill." He sends also the names of ten Lords of Session and their commission. The Earl as President of Parliament is to take the oaths of those present, &c. "I am, my Lord, your Lordships most humble servant, Melvill.

107. SIR JAMES DALRYMPLE to the EARL OF CRAWFORD. Hampton, 9 July 1689. "My Lord,—I rejoyce much to hear how weell you have acquited yourself in that eminent statione yow now ar in. I hope it sall be the entry to the raising your noble and honest familie to a conditione suitable to ther qualitie. I find your lordship hath bein concerned for me, and therefor I thoght it my dewtie to clear yow in what I heard was suggested be some which I believe had its ryse from professed piques against me be persones I have done kyndnes to and never injured. I know the Episcopall pairty knew weell I never favoured ther order. I have done both heir and beyond sea what I could to get our Church restored to the Presbiterian government, on which acompt a great prelat heir hath agented against me, representing that if I wer president and my son advocat, all the civil rights of the natioue wer in our hands. I say not this by uncertain rumour; he said it to my self. I told him he was unskillfull in law and our constitutione. I had yielded my sone sould leave the binch least he and I being togither in it might give suspitione of to much power ther, no man could say the Kings advocat pleading had any trust of mens rights. I thoght I might say for my self that which had scairs an exemple. I was in the Sessione 21 year, most of it President. I was the but of the hatred of the then Court and out of the country seven year, hundreth of witness examined against me be way of inquisitione condemned be our law, befor any process they wer examined what they knew of my cariage in any thing, yet never on bear witnes of brybri, oppressione, injustice or insolence, when nothing could mor engratiat then to have declaired any of thes. I have done for the clearing and shortning the courts of law mor then any went before me. If after this

I sould be ill treated it would be thoght very strange. It is said I was against the Petitione of Right or satisfactione of the Grievances, and for bringing ill men into the government, all which on my conscience is fals. I am so far from desyring to have returned to that statione fra which I was unjustly and illegaly removed, that had Sir Geo. Lockart lived and been acceptable I would never have claimed or admitted to reasume such a weght in my 70 year, thogh I bliss God I found no decay bot much improvment of any capacitie I ever had; bot to pairt from my right when it sould give grownd to thinke I could not answer for myself, wer unworthie any man of sens. I know it is said I have influenced the affairs of the natione by my stay heir; it is so far from trewth, that the King will bear me witness that from the tyme our contrymen parted hence till now, I did forbear to mentione the preference or prejudice of persons. I never medled with nor saw the Commissioners instructiones nor the commissione of the Counsell till long after they wer sent downe. Thogh many gave in lists I gave non even of the Sessione, least it sould be said I had made a pathe for my self, which the King will witness, many of the new nominatione being unknowne to me, and if ther be not mor able lawers added the affear can not be weell and quicklie done. Pardon this tediousnes, which I hope your lordship will sie somuhat necessar for, your lordships most faithfull freind and most humble servant, JA. DALRYMPLE."

108. GEORGE, LORD MELVILLE, to the EARL OF CRAWFORD. 23 July [n.d., probably 1689]. . . . "I wish all care may be taken that ther be no breach upon the matter of Church goverment; it is better that what can be hade in a cleanly way may be done though all cannot be had that men would wish at this time, for any breach may marr all. For the matter of patronages I suppose it will be ill to disgest with many, and though I see the inconveniences, yet I should thinke it better to wave that affair for this time, then that there should be any breach upon that head to obstruct a setlement; but I can say nothing positively at a distance, only yow may judge that those who are no lykers of the Presbyterian goverment are not idle. We long much to hear a good account from yow, &c." (Signed) "MELVILL."

109. The SAME to the SAME [holograph but unsigned]. July 30 [1689]. . . "I am much troubled with the relation you give me off affaires with you. I am very senceible of the difficult taske you have. I pray God direct both you and me. Things seeme to have a very sadd prospect; I know not weell what to wrett nor what to advise you. I apprehend your parliament may be adjourned befor this come to your hands, both by the advice given of the fitnes of it at this tyme and the liberty granted, &c. I am glad on act is tuched. As for the setlement off the Church government I see so many difficulties in it, as things presently stands, what from on party and another, that I cannot see thorow it, nor doe I know whither it be better it ly over a while. I had not yett had tyme to consider the addres. I wish the minesters and others trewly concerned for the intrest may be at on amongst themselvs and may be very sober and not give those who may be watching for their halting advantage. Ther ar aboundance to misrepresent them and ther way; men must take what they can have in a cleenly way when they cannot have all they would. I wish they understand and distinguish weell between ther freinds and others. I know not weell whither to advise if they should send upe on or two of ther number: if men wer mor free of humour and jealousie and a fitt person or persons could be fallen on it would seeme not amiss; but

whom you or I might thinke proper on severall accounts may not be so either for a court or converseing with other heer, and for a thing to be done and not to purpose especially when expensive, does not import much. However, I should thinke it wer not amiss that they should be at pains to draw upe somwhat for removeing the aspersions cast on them and ther way, and show what ar ther principles and demands, and the soberer the better, and what they thinke expedient in this conjuncture to be proposed. They have Master Adaire heer who might communicate to others both of English and Scots of ther own perswasion and take ther advice and assistance. I am affraied our divisions and management may doe great hurt to the publicke setlement, and may endanger the bringing that on, or about, which men seems to feare, for its scarce to be imageined that some mens way and procedure, if as related, can be acceptable." He asks the earl to supply him with information as to affairs, and gives instructions for its being sent securely, &c.

110. The SAME to the SAME. 10 August [1689], also holograph, though unsigned. He is troubled with the earl's accounts of affairs and what he meets with, but hopes he will "weather all that." "I wish ther wer as much of a publike spirit to be seen [in] others as your lordship evidences to be in you. I wish our minesters and others concerned may seriously consider ther own and the publike interest and concert what is fitt to [be] done and what they can at present be satisfied with; for it may [be] rationally aprehended as things stands that all will [not?] so easily be gott done they would desire. They have a great party to deale with, both within and without, &c., and ther ill willers ar not idle. The cariage of some in the —— who pretend to be patrons hath I fear put affaires somewhat bake; however, I can say for on, I am wher I was and [shall] be ready to [do] all the service I can, whatever discouragements I have mett with, so you would consider what [is] rationall to be proposed as things now stands and quhat is the proper (*sic*) to remove objections, &c." Men must take what they can get, &c. "but wee must not be like petted children nor give others (who ar watching for it) advantage and by all means pains would be taken to prevent the peoples being influenced to ther own prejudice; and that they may be perswaded to be sober, for the least thing to the contrairy will be hugely aggravat. I heard this day, I know not if trwe, it was moved in parliament heer to enquire amongst other things, who advised the King to abolish Episcopacy in Scotland," &c.

111. MR. WALTER INNES, Minister at BANFF, to "the PROVOST OF BANFF at present in Edinburgh." Banff, 15 August 1689. "Honoured Sir,—Your friends heer, now after the adjourning of the Parliament, long for your returne, and it shall be most refreshing to me amongst others, and the rather that I expect to hear a truer account from you of effairs then ordinarily we have in this place. Our Papists and disaffected people (who are too numerous in this countrey) are big with hopes and spare not to talk great things. They keep a closse and frequent correspondence, and it is apprehended they have some great work on hand, which I pray Allmightie God in his mercie to defeat. Popish houses sett up a mint of false reports (as well as they have again sett up their idolatrous worship, and have it every Lords day and oftener in this place since the Lady Huntley came hither), and hollow hearted Protestants are imployed as their news-mongers, who spread every thing they beleeve will dishearten the well affected. You will

think strange if I tell you that any minister of the Gospel is thus imployed, and yet this is the trade of my neighbour, Master Patrick Chalmers, minister at Boyndie. It doth not suffice him that he hath not read the proclamation and prayed for King William and Queen Mary as King and Queen of this realme according to the tenure of it, but in his publick appearances and private converses he prayes and speaks against the present establishment. He indicted the publick thanksgiving injoined by authoritie thus, There is a proclamation for a publick thanksgiving for our deliverance from Popery (keeping out arbitrary power), and for praying for King William and Queen Mary, as they say; this he added that they might know he called them not King and Queen. I had it from one of the bretheren of our Presbytery that some of his parochiners told he said concerning the Convention of the Estates of this kingdom that they had voted out King James, and he hoped they would next vote out the belief of the Trinity. He calls the members of the Parliament a pack of devels and rebells. He said the Councill issued out a proclamation for a voluntary contribution for the French and Irish Protestants on purpose to disgrace King James, for they were only renagadois and rascalls who came from Ireland and pretended oppression, persecution, and force, but had been under none, and for his part he would not intimate the Councills order. He is daily traffiqing among and conversant with Papists. Particularly he is a confident and companion of your friend, the Lord Banff, who speaks his pleasure of the governement. He said that all that are for King William should renounce the name of Protestants and take that of rebells. He challenges young men if they pray for King William and advises them against it. The assurance that his people (the most of whom are like their priest) will not delate him, emboldens him to use great freedom both in publick and private, and this in a constant tract since our King and queen were proclaimed. I have advised him in private myself, I have sett his friends on him to obleidge him but to be quiet, but so farre from that, that he is now worse then ever, and now I cannot answer my dutie if I do not represent him. If he were a man of a blamelesse conversation in other things, and had been all along silent (as others have been), I should not have been his delator for omission; but it being otherwise, I thought I was obleidged in conscience and credit to tell you. As I have often done, I wish the church were purged of such a scandalous person. I suspect he considers that there shall be a more strict inquiry made into the lives and manners of the clergy then there was under Episcopal governement, and that he will not be able to endure the triall, and therefore thinks to come off (as he will interprete it honourably) as a sufferer for the late king; but I assure you, Sir, as he hath incurred the sentence of deprivation by not only slighting to obey the commands of authority, but also acting contrary thereunto, so I doubt not but if matters be rightly managed before an impartiall ecclesiasticall judicatory, there shall be found that against him as to his conversation that will justly merite deposition. If unnecessary frequenting of taverns, if neglect of family worship, if drolling at religion, if scoffing men for their prayers, if going on his visits with his wife through the countrey with violers trysted to follow them from house to house, at a time when there was cause for mourning rather than mirth, namely, when Popery was in its height in the late Kings reigne, if intimate closse correspondence at that time with priests, and sitting in taverns with them, not having any necessary effair there, if these be demeritorious, he must be liable, being guilty of all the forementioned scandals to the knowledge of all

round about him." The writer desires the Provost to "take the best measures for representing these things to our worthy patriots, members of the Parliament," or to the Privy Council, that such misdemeanours may be punished. He concludes, "I referre this wholly to your conduct, and intreat, as you love God, as you wish well to the Protestant interest, as you desire the thriving of religion and the incouragement of those that are well affected to the religion and governement, as you wish to strengthen my hands in the great work of the Gospel in this place, do what your conscience tells you, you ought in such a caice. It is service to God, it is duty to our King and Queen and will be a kindnesse to, much honoured Sir, Your most obleidged and humble servant in the Lord Jesus. Mr. WAT. INNES."

112. SIR JAMES DALRYMPLE to the EARL OF CRAWFORD. London, 10 October 1689. "My Lord, . . . Your lordships expressiones of my endeavours for my mother church and for your self ar much mor and far beyond any mean thing I could doe, bot I dar say ther be few mor desyrous to joyne in the repearing of our breaches then I am. I have been ever of the sam persuasione for our ancient government, thogh somtymes prudence allowed not to say all I thoght, bot I never said any thing to list my self in an other way. I have mett with reproach enewgh yet I was never out of hope it would evanish and the by-designes of the authors of it would appear," &c.

113. GEORGE, LORD MELVILLE, to the EARL OF CRAWFORD. London, 22 October 1689. In reference to the opening of the Signet and sitting of the Session in November, he sends a Commission "for the fifteen Lords of the Session, against whom I hope non will take exceptions. I represented those whom I judged honest men without regard to any interest. I hope they will satisfie the countrey." He has no doubt the Earl will be careful of the King and country's interest, and by his good advice "allay any heats" which may arise about the sitting of the Session; "for it is in no mans power to do things so as to please all," &c.

114. The SAME to the SAME. 31 October 1689. He is convinced of the Earl's faithfulness in the King's service. "The throwing out of so many ministers is represented here to flow rather from partiality then real guilt, and it is writ from Scotland that when your lordship was questioned about the severities used to them, that you did nothing but in a conformity to what you had instructions for from this place, but a spirit of lying doth so rage at this time that I lay no weight upon reports. It is said also here that there is a college set up by the presbytry of Glasgow and four Regents setled who take pains to draw away schollars from the University to the ruin of it. Some confidently report that some Presbyterians of the west have rebaptized children formerly baptized by the conformists." He desires the Earl to make enquiries and report. He has written to Mr. Eliot to know the grounds on which the conformists were laid aside, &c.

115. The SAME to the SAME. [n.d. c. 1689.] It was unfortunate there was no fund for paying the forces. The King maintains many on English pay and is not able to retain all. "The taking of the packets both going from this and coming from yow discovers an ill designe at this time." The King wishes the Council to make all "enquiry possible to discover the persons that are guilty, and does expect an account of their care. His Majesty hath called for Major Wildman and a speedy course will be taken with your postmasters there that the publick service as

well as private correspondence may be more secure for the future. There being no Elymosinar as yet appointed your lordship is desired to cause those who formerly provyded the blew gouns to do it for this time, both for King and Queen," &c.

116. The SAME to the SAME. London, 7th November 1689. He is pleased with the Earl's letter of 2nd as to the sitting of the Session. "I ame sorry to hear of the unsetled conditione of the country, that the garrisones are so litle able to repress those Highlanders that makes such depredations. The King and country seems both to be in a hard lock in relatione either to the disbanding or keeping up the forces, or what can be done in it is difficult to determine or advise, there being hardly any expectation of money from this. I wish the Counsill might write to me to lay out the sade conditione of the country, that I might represent it to his Majestie; I have often done it, bot few to assist me in it. It is hard for those here to beleive the low conditione of our country when it is represented only by one." He also writes as to a proposed exchange of Jacobite prisoners where it is offered to exchange the Laird of Pollok for the Jacobite Lieut. Colonel Windrom. The King thinks the proposal dangerous, and would rather exchange another than Windrom, who has "abilitys to serve the conterary interest both in respect of his pairts, principals, skill in military affairs and knowledge of the Highlands." This, however, is not to be made public. "I ame expecting ane account of the Councils procedure in relatione to the putting out of the conformed clargie; some makes a great clamour about it here. I desire particularly to know as to Maister Airds affair, so much agrevat by some here," &c.

117. FOLIO SHEET of Paper containing two draft letters, apparently from the Earl of Crawford probably to Lord Melville. In the first, December 5 [1689], he writes, "The adjurnement of the Assemblie is imputed to severall persons and things . . . some churchmen heir and elsewhere ar taxed, a significant lawier and some statsmen ar said to concurr. I take not on me to give judgment on the consequences bot sincerlie wishes they may be good. These times are like to give a great discoverie of men, though some would cover themselves under the specious vail of good countrie men and deep concerne for the interests of Christ. Ther reputations ar intire with some reall friends, bot much clouded, yea almost buried with others as discerning and no less faithfull. The charitable temper seems the more Christean bot not soe safe aither for the interest of Church or State. The favourable changes of manadgers some time agoe expected ar now more doubted; the measures taken with yow will probablie determin ours. Adversaries heir wer never more in heart nor friends under deeper discouragements: The sadest ingredient in our cup is the jealousie rageing amongst Churchmen, which putts a stop to all joint methods. If ther wer not sin in the wish, I think I should be at Elijahs pairt, a desyre to be gone that I might not be a witness to the confusions we ar lyke to fall in; bot I most waite my time and not hide my talent in a napeken bot mean as it is, use it for the serveing my generatione: and though I should labour in vain and spend my strenth for nought, yet be comforted in this that my judgment is with the Lord and my work with my God," &c. In the second draft, dated 6th December [1689], he begins, "There is such care now taken in ordereing the packet as I doe not hear aither of the miscariadge of letters or opening of them, as was too much practised untill Mr Stephansone entered to office above and Mr Douglas heir." He again refers to the Assembly. "The ministers of this place had no

hand in the adjurnement of the Assemblie. If any of them medled, they dealed not candidly with me and others. I am indeed told that a lawier used ther names to strenthen his own arguments for the adjurnement, for which he hath losed himself in this place in any furder trust from that pairtie. It is rationally beleeved that what that old Presbyterian suggested to a friend of his about some overtures discoursed of in August last gave the greatest ryse to the late adjurnement of our Assemblie, the noyse quhairof was soe industreously spred a moneth before the order came, and was soe generally trusted as few or non ever came this lenth to have any opportunitie of discourseing on ther nixt measures. Our maters goe in a circle, ther is certainly a subserviencie of clergiemen to the Court designs and again a ploughing by ther hyphers for finding out the inclinations and purposes of the people, which keeps up jealousies and defates all projects of a releefe from our present perplexed circumstances. I trust the Lord will find out a way for our escape though it is not easie, in the time, to come at a condescendance by whom we ar thus exposed and our chariot wheals taken off, soe as we most needs dryve slowlie," &c.

118. The Rev. William Carstares to the Earl of Crawford. London, 7 December 1689. "My Lord,—One of your lordships, without date, mentioning your lordships intention to write to the Earl of Portland, I had not till yesterday, and the impression of the seall which it had when it came to my hand I have sent inclosed, that your lordship may know whether your lordships letter hath been broke up or not; the difference of the seall from what your lordship hath used in all yours to me makes me jealous. I have not much to acquaint your lordship with as to news, but there is a Vindication of our Scots proceedings come out which makes a great deall of noise here, but it is like your lordship may see the book before this come to hand. My Lord Secretarie [Melville] gives your lordship his service, but not haveing time to write desires me to tell your lordship that the Convocation here say, they will doe nothing till their persecuted brethren in Scotland be considered and that those thrust out by the rabble be reponed, if they be not found scandalous or insufficient, and that such as were willing to pray for the king, though they did it not within the time appointed, be restored to their charges. He also desires me to tell your lordship that it is said that some of our countreymen here that pretend to know affairs doe positivelie contradict some matters of fact as to the Councills procedure mentioned in some of your lordships letters. These things are only written to your lordship that you may know how things goe here and how much the Episcopall partie pester his Majestie with complaints about our affairs: and indeed it is confidentlie reported that there is an addresse from that partie either alreadie presented to his Majestie or to be so in a few dayes concerning the Councills proceedings against the Conformists, and shall we be filled with jealousies of a king whose kindnesse to us creates to him so much trouble; sure if we should, it were great unkindnesse," &c. (Signed) W. Carstares.

119. Draft Letter, the Earl of Crawford in reply to the above. Edinburgh, 10th December 1689. "Reverend and kind Sir,—I had yours of December 5th and am now convinced of what I but suspected formerly, that tho my letters go in the black box they are often broken open and the returns made to me used in the same manner. Yea, sometimes they are not delyvered, nor the answers sent forward. If the Secretary take not care to prevent these practises, I shall be barred all freedom in writing by that conveyance and must correspond rather by

the common post. I never make use of another seal then my crist which is a swan, except when I design to conceal that I am the writter. You may manage this so as the quarrellings be not upon my occasion at those who have the trust of opening the black box, and yet that they may be curbed in the general for a thing so. unsuteable to a gentleman and so destructive to all commerce. The message you delyvered by the Secretarie's order anent the pressures on our King by the adversaries to our interest is allmost as weighting to me as that by Samwel to Eli, to which I shall give the same answer, It is the Lord, lett him do what seemeth him good; for tho I have laboured in vain and have spent my strength for nought, yet I trust my judgment is with the Lord and my work with my God. I think it shall be with Christs tossed ship in this land while I am a passenger in it, as it was with that in which Jonah was fleeing to Tarshish, that I must be thrown overboard and putt from medling before the sea cease from her rageing, and that things shall not prosper in my hand, for I have been a man of much sin, and in no fashion have lived and practised according to my education and the mercies I have been trysted with; but I trust the Lord will raise up instruments whom he shall countenance to act in the matters of his house to better advantage, which shall be a joy and a crown to, Reverend and kind Sir, your affectionat friend and humble servant.

120. On the same Sheet of paper is a draft letter to Lord Melville, same date. . . . If what I write anent the procedour of our Council with the Episcopall clergy were contradicted by a thousand hands, I am still ready to make it good that in circumstances it is truth, and every syllable I communicat to your lordship first or last on that subject. I have one humble sute to his Majestie. If his purposes are to gratifie the importunity of such as press him to deal favours to the conforme clergy in this nation, which I shall never believe of him until I find it, being so perfectly cross to his interest and the expectations of him from all that are sincerely his friends, I may without offence to him be allowed to act Hagars pairt when in the wilderness and Ishmael in hazard of death, that I may remove to some distance where I cannot see the death of that child, a Presbyterian interest, in whose life in a maner mine is bound up; and that while there is another victim to make sacrifice of who are really haters of his person and concerns, it be not sought of me to streach out my hand to cutt the throat of my beloved Isaac, and bury that interest that I would gladly build. . . . I trust the wall shall be joyned togither in spight of all opposition, for I am sure there is a godly partie in the land that hes a mynd to work, and are wrestling with the Most High that the copestone be putt on with shouting," &c.

121. The Rev. William Carstares to the Earl of Crawford. London, 12 December 1689. He will endeavour to answer the trust his Lordship reposes in him. "I am apt to think there will be a necessitie of printing a short account of what relates to the conformists that the world may see the partialitie of mens censures as to this affair. Your lordship hath furnished such materials as will be of great advantage while they come from so authentick a hand. I am very hopefull the king will be tender of our concerns, and I am perswaded your lordship will endeavour that our friends be circumspect as to discourses and actions which they are the more oblidged to be, in that so many are waiting for their halting and apt to improve the least advantage to their prejudice. There is a noise here of some expressions Mr. Hugh

Kennedie had lately in prayer concerning the King, by which he insinuated that he had little hopes he would be better then his predecessors. I doubt not but this is a calumnie, which I only take the freedom to acquaint your lordship with that you may know what stories we are sometimes pestered with here. The parliament hath at last past the bill of supplie for their Majesties which, no doubt, doth much disappoint the hopes of enemies to our settlement. I can not but lament the disturbed posture of affairs in Scotland, and doe heartily wish that it might please God to prevent the fatall consequences which our divisions are like to be attended with; but I am hopefull that the wisdom and temper with which God hath endued our king will contribut, through his blessing, to bring our affairs to a comfortable issue. It is my great satisfaction that a person so much concerned for the true interest of religion and his countrey as your lordship is hath such a place in his master's affection, in which I hope you shall be more and more rooted. I heartilie congratulat the honour that I hear his Majestie hath been pleased to conferr upon your lordship, whose prosperitie every way is sincerelie prayed for by, my lord, your lordships most faithfull and most humble servant, W. CARSTARES.

122. DRAFT LETTER. The Earl of Crawford to a minister. Edinburgh, 26 December 1689. He regrets that there are indications of wearying in the spirits of many in Galloway and the neighbouring shires, because church government has not been settled, and he is afraid of the consequences of that temper, lest "it may amount to some thing that is precipitant and irregular, and as it has been my great study hitherto to advance the interests of Christ in this nation, since I was stated in the least capacitie to act for them. . . ." He is determined to endeavour to restore the former constitution in its utmost purity. He finds the jealousies and discontents of the people to arise from. "1° The adjournment of our parliament and the disadvantages by that delay. 2° The want of maintenance to the ministers of our way. 3° The insolence and boasting of conformists beyond what they vented some time agoe. 4° The present pursuite in commissariot courts and other inferior judicatories for attaining of their benefices, ev'n for the crop 1689. 5° The common talk by severalls of reponing the Episcopall clergy to their charges. 6° The putting in publick trusts some who are not favourable to the nation. 7° The concern of those in England that our Government be modelled with some charitie to such as only differ from us in the constitution of our church. 8° The danger in letting matters lye over." To these points the writer replies (1) He firmly believes the Assembly will meet at the date fixed, and to better purpose than if the former date had been kept. (2) He who serves the altar should live by the altar, but the delay is for a short time, and the king has provided for the maintenance of some from the bishops' rents. (3) The pretensions of the Episcopal clergy, though higher than before, are founded on no solid reason. (4) The Council has suspended all diligences for late stipends during pleasure, or till the parliament meet. (5) He has not the least fear of any such design (as reponing Episcopal clergy), on the king's part. (6) State policy rather than personal respect probably determined the choice of certain men. (7) He has no doubt the king and the parliament will be tender of church concerns. (8) He believes even the delay will be blessed to good effect. Generally, he warns against all rash and false steps, and advises faithfulness to the king.

123. Draft Letter by the Earl of Crawford, apparently to Lord Melville. 19 December 1689.

My lord, I am much discouraged in writing by the black box, my letters being frequently broken up, and sometimes not sent forward, and my answers used in the same manner.

The favourable impression your lordship hes given his Majestie of one so little significant to his service as I am, and so frequently taxed for ill things by other hands, and the visable effects of it by the share I have in the government, cheefely, if not only, obtained by your lordships procurement, as it is an act of great generosity, so it hes left a very due sense on my spirit that I should use that credit, which by your means I may have with my master (after that service which I owe to him and the nation) for the strengthening of your interest, the conciliating of friends to you, the taking the edge of adversaries, and the doeing every thing ells that may endear us to one another, and more rootedly fix the friendship was still betwixt our families, which I trust shall not faile nor diminish on my side. The enclosed for his Majestie contains only my humble offer of the outmost service I am capable of doeing him, and my dutiefull acknowledgement of the share he hes named me to in the rule, and my humble sute, that upon some remarkable occasions I may without offence to him be allowed to write directly to himselfe, which I hope neither he will deny to me nor others repine att, it being neither in my temper to aspire to any thing that providence shall not directly lay at my door, nor to recommend any from a prospect of strengthening my own interest; and, least of all, to tax any single person that I may be reliev'd of a rival; but singlely designing some freedom for exonering my conscience and vindicating my reputation, if I should be in danger of suffering either way. By the goodness of God my wife is saifely delyvered of two daughters, and have presumed to give the name of our queen to the eldest, and wishes I could transmitt with it that same dutiefull respect for her person and government as is claimed to by the father. I am much delighted with his Majesties instructions to the Duke of Hamilton, the printing of which hes allready remarkable effects on the people, and throughly cured many of the members of parliament who formerly were displeased. Yea, I am of opinion there is scarse a remaining grudge to any but such who have had other aims then the floorishing of religion or quiet of the nation. I am firmly perswaded there would be now no danger in the sitting of our parliament, for particular men who formerly ledd them have lost much of their interest, and the affections of the people are to a great degree warmer to our king upon the publication of his purposes and the reflection on the miseries wee have been under by our own janglings. That pamphlet, designed by some as a fireball, has such gross things in it toward our king, such mistakes in point of fact, in relation to others, that it hath proven an allay to some violent tempers instead of inflaming them. May all such be discovered who project not honest things. May our king's reigne be the glory of this age, and your lordship the happy instrument under him of settling religion in its purity and the peace of this nation upon solide foundations, which is equally expected as it is wished for by, my dear lord, your lordships most faithfull and affectionat humble servant.

Edinburgh, 19 December 1689.

124. The Earl of Crawford to King William the Third. [Draft.] May it please your Majestie, As nothing which had not violence in it would have diverted me from that retirement in which I placed such delight the most pairt of my life, save the joyfull prospect

of your Majesties ascent to the throne of Britan and Ireland, and the deep sense of the great delyverance to these nations, and singular advantage to religion wherever your influence could reach: so with much distrust of an ill heart and a trembling hand, least I should not manage with any significancie, I have ever since the administration of affairs was under your Majesties direction appeared in publick view; and from the honours conferred on me, and trust reposed in me, have closely attended your judicatories in this nation. Tho to my regraite my success at all times, and especially in your late session of parliament, hath not answered my wishes, I am fully convinc'd that I serve a Prince sufficiently generous to overlook some failings where candor and ingenuity is designed, which certainly should be the rule I ought to square all my actions by, either as Christian or man of honour.* I return your Majestie my most dutiefull and humble thanks for all the favours you have conferred on me first and last. But in nothing judges my selfe so highly oblidged as in your purpose of settling our church interest according to the desire of your people, in which my deepest concern truely lyes; and that I have trust from your Majestie in the account that by your Secretary I frequently give of publick matters, even while representations by other hands are sometimes spoake out to my prejudice. It would be most satisfieing to me, and I hope not inconvenient for your interest, if I were tollerat by your Majesties favour at criticall times to write directly to your selfe the true case of affairs in this nation, that as I have the honour of being one of your Majesties Council, I may approach the fountain it selfe, and be allowed to use some more freedom there then is any where ells convenient for, may it please your Majestie, your Majesties most faithfull, most dutiefull, and most obedient subject and servant.

Edinburgh, 31st [19th deleted] December 1689.

[Written on the same sheet of paper as the preceding letter, No. 123.]

125. The Rev. William Carstares to the Earl of Crawford. [Not dated *circa* December 1689 or January 1690.]

My lord, your lordships by the flying pacquet I had, which I delivered to his Majestie to be read by him, who, though he can not, as he sayes himselfe, be with you so soon as your lordship desires, yet is not willing there should be any longer adjournment of the parliament then his change of his resolution of going for Scotland made necessarie. But, my lord, I am not without hope of seeing him there in his way to Ireland. Confusions with you are my great griefe, but I hope when it shall be seen how much his Majestie desires our setlement the minds of people will be calmed. I intend, before your lordship can honour me with a return to this, to take journey for Scotland, where seing of your lordship will be no small satisfaction to, my Lord, your lordships most faithfull humble servant, W. Carstares.

I leave it, my lord, to the secretarie to acquaint your lordship with matters of moment.

Indorsed: Mr. Carstairs about King's comeing to Scotland.

126. Draft Letter. The Earl of Crawford [probably to Mr. Carstares.] Edinburgh, 4 January 1690.

"Reverend and kind Sir, the dyet of our parliament and the consequence of our meeting is the talk of every discerning person in this place, some passionately wishing for it, others affraid least wee assemble,

* The following sentence has been here deleted, "From your Majesties late bounty toward me in giveing me a share in your government, I am stated in a capacitie to continue my attendance in this place, which otherwayes had been imprestable by me."

and a thrid sort under a deep concern what shall be the product of any new adjournment, or what may be the sadd result if wee meet and do not agree to settle the weightie things of the nation, but shall bussie ourselves in matters of little moment." After some general remarks upon the position of affairs, the writer proceeds, "All are now at work practissing with members according to their several inclinations and interests; the worst sort of men studieing to debauch friends, others endeavouring to reclaim enemies, and a thrid sort labouring to unite such, who agreeing in the maine, do yet differ in particulars. There is a great noice of considerable alterations at Court. If there be truth in them wee shall quickly feel the effects in our affairs here. The very discourse of it hes made a change in the beheaveour of persons, legible in the countenances of many, joyous or grieving, according to their several principles and expectations. The conformists do generaly every where pray for the late king, some in express tearmes, and multitudes in such a dress as will not bear a good sense to another effect. And such as act not this pairt do in privat houses erect the English service, give both sacraments in a corner, marry by warands of abolished bishops, that they may conciliat favour from the clergy in that nation. What the result of all this will be I know not, but this is evident to me, that of our kings best friends, even the wiser sort and most charitable to him have difficultie to keep sober acquaintances from dispondencie, those of warmer tempers from precipitant acts and foolish expressions, and are themselves crushed under the insults of adversaries," etc.

127. Draft Letter. The Earl of Crawford to [Lord Melville]. Edinburgh, 11 January 1690. The King's letter to the Council has given satisfaction. They have made some of its contents public by a proclamation "which wee are hopefull will be of significant use for removeing those jealousies which severalls were begining to entertain of his Majesties purposes in relation to this kingdom, and I trust may be a great help to unite some who hitherto have lived at a distance, and damp others who, from our divisions and the sadd effects like to follow on them, were allreadie crowing victorie to the late King. This day the great robber, Liv^{t} Coll. [interlined over "Donald" struck out] McGreigour by a partie of my Lord Kenmuires men was brought prisoner to this place. He being not yet examined hes made no discovery of his accomplishes, but it is presum'd that some persons of good note have patronized him. Once next week such noblemen and gentlemen of Highland interests as are not actualy in armes, and have hitherto been newtrall are to appear before us, when some methods may be fallen on which may render us a little more safe than wee now judge ourselves," etc.

128. George, Lord Melville, to the Earl of Crawford. London, 16 January [1690]. My Lord,—I am very senceible of your kindnes which I hope shall not dye on my side. A freind of yours yesterday had a communing befor the Earl of Notingham and the Lord Wharton with the Bishope of Salisbury in relation to the Councells procedure with the conforme clergy, both as to the turning out and as to the late act dischargeing commissar courts and other inferior courts administrating justice to the clergy, &c. This was highly aggravate, &c., and saide to be a thing not only unjust and what the Councell never done the like, but that which did much affect the conformists heer and wherein they would concern themselvs, &c. I wish the comissary courts had been discharged simply to act in relation to any

thing untill they had the Kings commission, or wer authorised to act by his proclamation which is ordinaire in all changes. It wer good that to stope clamour those who ar dew should pay the 88, [crop 1688] at least to those who wer turned out by the people. I have many things to say but wants tyme. I am trowbled that some who pretend to be for our interest have wounded it in so farr as in them lies, under the fift rib. I wish those who wish well to religion, King, and country may become wise and to understand our trew interest that wee be not the destroyers of it our selvs." The Earl of Nottingham has been ordered to write to the Duke of Schomberg about the exchange of prisoners in Ireland.

129. The Rev. William Carstares to the Earl of Crawford. London, 16 January 1690. On the same subject as preceding letter, the interview with the Bishop of Salisbury "about the affair of our conformists before my Lord Nottingham, the English secretarie, and honest my Lord Wharton, who told me this day that my Lord Melvill acquitt himselfe very much to his satisfaction, and answered the Bishop brieflie and roundlie. The Bishop indeed makes a great noise, but it is no great matter. I hope our friends will be carefull to give him no advantage, and while we mannage ourselves discreetlie we need not much fear his clamour or suggestions." It is still reported that the King will go to Scotland. A conjunct secretary is not likely, whatever may be said, "but my Lord Melvill hath been litle oblidged to many of his own perswasion, who had they owned him more it might have been much for the advantage of our interest, but what is past cannot be remedied. I hope we will for the future more wiselie consider circumstances," &c.

130. Draft Letter. The Earl of Crawford to [Lord Melville]. Edinburgh, 21 January 1690. . . . "I am surprized to hear from several hands that persons ignorant of our law, and in a great measure strangers to matter of fact, should, upon every light suggestion, and that from prejudicat persons and some of these not of the greatest integritie, run to the King and such as have interest about him, and whisper mistakes with all the confidence imaginable. I shall instance only in two particulars one in relation to the turning out of the Episcopall ministers, the other anent an act of Council direct to commissars and other inferiour judges. To the first,—It seems very strange that any continueing clamour should be on that head, no single minister haveing been proceeded against these several months, tho they are so farr from relenting upon this lenity and forbearance, that since our sist against them they have turn'd arrogant at that rate as many of them who formerly only prayed for the late King in indirect tearmes do it now expressly; and so generaly as not only the credit of the Government suffers, but friends are discouraged and enemies are arrived to a high pitch of insolence; and [I] am affraid if some sudden check be not given them the Government in a short time shall be very unsaife. I shall once more repaite what I have oft said on this subject, that no Episcopall man since the late happy Revolution, whither laick or of the clergy, hath suffered by the Council upon the account of his opinion in church matters, but allennarly for their disowning the civil authority and setting up for a cross interest. If I make not this good, I shall willingly forfault my credit with his Majestie and all good men. As for that act of Council direct to commissars and other inferiour judges, as it is expressly founded upon an act of the meeting of the Estates, and concerted in the wording of it by three of the greatest

lawiers in the nation in the prudentest tearmes they could fall on, as by the tenor of the act it selfe here inclosed your lordship may easily discern;" so he complains that ignorant persons "should tax that judicatory where so many knowing men are members, and could not faile to have a better view of things then those who complaine and take them on trust from informers. . . . And it might be thought strange when commissars, who had no shaddow of a title to keep courts untill they had new commissions, and whose jurisdiction, by an act of the meeting of the Estates, must be regulated ere it can be exercised, and who depend allennarly upon Bishops who are abolished in this nation, should yet have ventured to act at all, farr less to have meddled in a matter no way under their cognizance and depending altogithir upon the parliament. Yet the Council have been so circumspect as not to prohibit directly their sitting and giveing judgement, but have only mynded them that those stipends are under the consideration of the parliament, and that they govern themselves in those matters as they will be answerable, either in relatiou to the executeing of sentences allready pronounced or in judgeing of processes. Nor does this act reach any pairt of Scotland, but the Western and Southern shires, where, upon our Kings first comeing to England the Episcopal clergy, because of their former rigour to their people in occasioning their deep fynings had universaly diserted, and so even in strictness of law had but a lame title to their benefices for any pairt of the crope 1688, and none at all for the one halfe of that year, which gave occasion for that act of the meeting of the Estates upon which only the Council of late hes proceeded, so that whoever quarrells the Council in this matter must first abrogate the law before they complaine, ells they do it unjustly. I am satisfied [that] his Majestie know the whole stepps of this affair in the tearmes as I write it to your lordship, that he be not abused by other hands who suggest many things and stand not to them, as I am willing to do in every circumstance as I have still represented, and am content to be reckoned an impostor and forgerer as well as partiall to a partie, if I be traced in the least mistake." The Council are satisfied about the Irish prisoners.

131. Draft Letter, apparently from, or in name of, the Earl of Crawford, to [an unknown correspondent]. Edinburgh, 21 January 1690. He finds the news letters so partial, prejudiced, and defective, and desires to learn "whatever of moment from time to time doth emerge." He therefore desires his correspondent to observe the following particulars: "1st Whatever letters you have from me shall be under this hand, so that I need not sign any which you receave afterwards. 2d I will seal them all with a hand, and an erected thumb and this motto, parol, that you may know with certaintie if at any time they are broken up. 3°. What letters you intend for me, let them be thus directed, for William Barnard, to be found at Mrs. Spences, within the head of Borthwicks closs, at the Cross of Edinburgh. 4° You may acquaint me with your seal and direction, tho under another's name, that I may likewise know if any of your letters for me shall be opened. 5° Least you may not still use the same hand, give me nottice of some mark about the date of the letter or some where ells, that I may be assured it comes from you. 6° Give me still nottice from time to time, what letters you receave from me, bearing their dates, and I shall do the like with yours. 7° Not only the direction on the back may be for William Barnard, but let the appelation within and stile be likewise suited to his condition. 8° Transmitt none of your letters by the black box, for these are commonly broken up and

often come not forward. 9° Once in the month I shall satisfie the money given out by you, for my letters to London either to my cousin Prestongrange, or any other whom you will appoint, that you be not both at trouble and charge upon my account; and if your modestie stick at this (which were great prejudice to me and a needless scrupple in you) our correspondence is broke up. My cheefe design in all this lyes here, that our friends of the Presbiterian persuasion in England may from time to time know our circumstances and I may be particularly acquainted with theirs. But that I may be yet something more express let your information cheefely relaite to the following particulars. 1st. The motions of France in referrence to any invasion designed against Brittan and Ireland. 2d. How farr the Pope either countenances him or the late King. 3°. Who are in the confederacy against France, and if they be unite. 4°. How our King and Parliament agrees in the general and what expectations Dissenters have from him or hope from members of either house, in relation to the takeing off the sacramentall oath, or other pressures that partie lye under. 5°. How the Earle of Portland stands affected to Dissenters, he being very differently represented upon that head. 6°. If any of the great managers about the Court are in danger of being addressed against by the parliament; who these are, and upon what account they are to be tabled. 7°. Who shall command our fleet at sea next summer, and if Torrington be under any distrust or not. 8°. What is expected from the Convocation of the clergy, if they will yeeld nothing to Dissenters, and if so, whither they will be dismissed or not. 9°. If our King and Queen be truely designing for Scotland; if so, against what time and under what purposes for our Church interest, for both sides here have hope. 10th. If Tweddals struggle to be conjunct with Melvill be finaly at an end, or if he yet retaines hope of succeeding, and by whose means his court is forwarded. 11th. How the affections of the people in England are to the civil government, if the sticklers against it increase in number and warmness, or if otherwayes they be upon the repenting side and comeing nearer to dutie, and what hitherto hath stirred those badd humours or keeps them up. 12th. How the Duke of Queensberrie, Marquis of Atholl, Earle of Cassills and Viscount of Tarbat are considered of at Court. I do not insert these particulars meerly to be under your consideration for your first answer, but that at every return you make to me you may glance over this letter and mind what things I am most solicitous to be informed in. I am satisfied that a trustie friend or two of the Presbiterian perswasion and closs temper, whither minister or other, know of our correspondence, and be acquainted with what passes on both sides, that we may be a mutuall help to one another in warning, comforting, and strengthening our interest in both nations, for this interchange of letters is rather calculate for a publick advantage then to gratifie the private curiositie of" etc.

132. Draft Letter. The Earl of Crawford probably to the Rev. William Carstares. Edinburgh, 30 January 1690.

Reverend and worthie Sir,—There is so general a desire by all our kings friends for the sitting of our parliament that the report of his comeing down or meeting of that great Assembly is hardly trusted, tho' the thing be frequently asserted, and still confirm'd by every post. I have this evidence that it is truely his interest wee keep the dyet, that all enemies to church and state tremble at the thoughts of its approach, and who wish best to his Majestie impatiently wait for it. The temper of our Episcopal clergy growes every day worse, more express against our king and for him whom wee have laid aside. The enclosed from

Lifetennent Collonel Buchan, one no way a favourer of presbitrie, but whose byass rather does lean to the other side, is plaine evidence of it. The encouragement they have gott of late from England and intire forbearance by our council here hes made them presume at a raite that the government is become weake, and enemies at their instigation insolent at a strange pitch. The Lord give council to king and rulers and all ranks of people that such methods be fallen on as religion may prosper, the kingdom may flourish, animosities may die out, and wee may serve God and our king with zeal and unity. Sure I am the concern on my spirit for the want of these is such that if my body were not stronger then that of other men, and my health firmer, I had been silent in the dust long err now: and if duty to God and faithfulness to my king and countrey did not over-rule all other considerations I had rather begg my bread in a stranger land, then upon any hyre have my spirit in so continuall a bensil, and my body dayly so overtoyled, and so little time reserved to me for religious duties as I am straitned in these and altogither barr'd the least bodily recreation; which labour would yet be joyous to me, if I added but one cubit to the stature of our church, or were so happy as to advance our kings interest to any degree. Yet I trust that the Lord will accept of my endeavour, and will putt up my tears in his bottell, and that through grace I shall be found his in the day when he makes up his jewels. The hopes of this does in some measure support the heart of, reverend and worthie sir.

133. Letter unsigned [also contemporary copy]. Inverness, 30 January 1690.

"Sir, if you please to write to this place againe, pray write to my Lieutt. Coll., for I shall not be able to answer your letter. Cockstoun and Cubin I gave protection to by your orders before the act of Indemnity came out. If you please to have it recalled, I shall do it. This is an account of all passes or protections I have given to such as hes been in armes. My Lord Lovat hes been with my Lord Frendraught, Lieut. Coll. Gordon, and severalls more of the rebells in Buchan, consulting, ingageing and taking bonds from the people to rise in armes against the government when called. Ballendalloch and his friends hes had severall meetings with many vassalls and tennents of the Duke of Gordon, appointing officers to command their men, so that they are all makeing ready for a campaigne, where the Frazers and most pairt of the McKenzies will not faile to be. This is certaine, let their pretences be what they will." [What may have been the signature is cut away.] Addressed "For the Earle of Crawford." Seal impressed, a heart transfixed with two arrows, saltire-wise.

Draft Letter. The Earl of Crawford to [the Rev. William Carstares.] Edinburgh, 31 January 1690. He has taken counsel with "the most sober, judicious, and affectionat persons to our interest," who agree, 1st that all rendevouzing be industriously forborn except in the case of perfect need, such as the certainty, or at least great probabilitie, of some forraign invasion, 2dly that petitioning at this juncture may have several remarkable inconveniences in it; first, it's much to be feared that all would not agree in petitioning for the same things; secondly, it might occasion cross-petitioning by the prelatick partie who would not faile to accord in the tenor of their supplication, and so as our differences would be laid open, our weakness would be exposed, for they would certainly be the major pairt through Scotland; thirdly, since the king and queen hath ordered me to make ready the Abbey against the beginning of March and that directions are likewise given for prepareing things in order to their coronation, there seems to be no

grounds for addressing that our parliament may sitt, that being, as I understand it, allready fixedly resolved on. And if the design be to dipp more particularly in matters, it would appear highly convenient that our desires were well digested, harmoniously agreed on, and our kings temper prepared for favour[ab]ly hearing them. However it appears adviseable that betwixt and the first of March all the Presbiterian ministers in Scotland were assembled at this place and a godly elder with each of them, that the maner and tearmes of applying to our king may be finaly agreed to; and that by a mistake of our principles and expectations, our king from importunity by the adverse partie do not in the entry condescend to things ruining to our interest. This is the substance of the commoning betwixt our friends in this place." &c.

135. Draft Letter. The Earl of Crawford [apparently to Lord Melville]. Edinburgh, 4 February 1690. "My Lord, . . . The prorogation of the English parliament is improved by Jacobins and other dissatisfied people in this nation to serve several ends. 1st. They represent it as an infallible token of a breach betwixt the King and his people. 2dly. They say it is a forruner of a disolution. 3dly. They suggest it as an evidence that he is to rule no more by Parliament but by the sword. 4th. They assure people that wee shall have the same fate here, first, an adjournment and then to be dispersed. . . . They are grieved at the apprehensions of our Kings comeing to Scotland and frighted least his presence so compose differences, that wee have a happy session of it, and not a litle concerned (if the English parliament should disolve), that the next may less serve their designes. But the wiser sort of people and such as are most affectionat to our Kings interest, not only give charitie to his Majestie in this matter, but without streatching their phancie, do frame very plausable reasons for this his procedour. I cannot be particular with your lordship as to mens purposes in our next session; some conceal their thoughts, others speak ambiguously, a 3d sort are fickle and not to be relyed on by any side, a 4th sort would capitulat upon tearmes, a fifth are desperat, and cannot be treated with, a 6th are timerous and will beheave well or ill as our King gives presence or not, a 7th, and these the better men in our Parliament, will be frank if they understand the King will lodge the government of the Church in Presbiterian hands, as well as settle that forme without restrictions. . . . This is a time when all men are at work prepareing for our Parliament, but very differently employed according to their several interests and inclinations, some tempting members to forsake their integritie, and others studying to cure mistaken ones. I am hopefull the last sort have best success, though a new adjournment even for a few dayes without wee were assured of the Kings comeing himselfe would lose more friends then we have made proselites of a long time. There is a frequent report by some of the Cameronian partie of great professions of kindness to them from the [word deleted, but apparently "Duke"],[1] that of late he hath taken in severalls of them to his gardens, expressed his solicitude to have Presbiterian government settled, forfaltures reduced, and the countrey relieved of all it's pressures, that what deputs or chamberlands of his hes harassed them, he will turn out immediatly and restore their means of which they have been injuriously devested; that what murders hes been committed on their relations shall be inquired after and they get reparation; and to confirme these professions hes restored to severalls, summs of money evicted from them for nonconformitie, and

[1] Duke Hamilton is evidently referred to.

turned off some of his chamberlands who had used them worst." He concludes, "I evidently smell wearying of your lordship by some, and jealousie in others, and drawing up with some who are none of your friends in a 3d sort. All these sizes are to be found among men on whom your lordship either hes or does rely. Use this without the least indication that you are informed of it."

136. The Rev. William Carstares to the Earl of Crawford. London, 6 February 1690. . . . "Colonel Buchan's letter will be shown to the King, which I hope may have good effect." The English parliament is dissolved, and a new one called for the 23 of March. "What the people will think of this I know not, but sure I am it hath been all allong the desire of the best that there might be a dissolution of this parliament." . . . I cannot yet give your lordship a particular account of what is resolved upon as to Scotland. My Lord Portland is not yet returned. We have no further news of Tweddell. It is thought the Queen will stay here while his Majestie is in Ireland. It is talked that the King of France is much allaramed with the news of the Kings going for Ireland," &c. In a postscript he writes, "I saw this evening an account of Scots affairs in opposition to the addresse made by Earle of Anandale and others. I am sorrie that any such print should come out at this time, but my Lord Secretarie knows nothing of its publishing. Hallifax, it is said, hath declared that he will not meddle any more in publick affairs."

137. Draft Letter. The Earl of Crawford to [the same correspondent as in No. 131 supra]. Edinburgh, 6th February 1690. He had received his letters, one being written from the Hague. . . . "It is very satisfieing to me that his Majestie does not quarrell my management while so many about him have said ill things of me, and judges myselfe greatly ingaged to the Earle of Portland for retaining a favourable impression of me, and concludes that I owe it cheefely to your charitie that the people of Holland either knowes me or believes well of me." In return, the Earl professes his attachment to religion, king, and country. "I am delighted with the account you give me of Holland, and much quieted at the assureance of Englands construeing favourably the late prorogation," &c. He adds, as a postscript, an excerpt from a letter from Sir Thomas Livingston, "a man rather Episcopall in his perswasion then Presbiterian, and so no way acted by prejudice in the account he gives of the Episcopall clergy." The letter was addressed to General Major McKay.—"There are severall ministers near by this toun of Invernesse that prayes both publickly and privatly for King James. They ryde up and down the countrey, and takes paines to perswade people to be true to him. This is so great a reflection to be suffered near a place that pretends to have the name of a garison that our very enemies laugh at us, but I can do no more but informe of things and then waite for orders. Should I apprehend never so great a roguge, there would be allwayes some body or other of interest that would take his pairt, and they must walk very steadylie in this countrey that are not subject to reflections."

138. George, Lord Melville, to the Earl of Crawford (holograph, but unsigned). 8 February [1690]. He had received the Earl's of the 4th, and is "heartily sory to find by yours, the distempers of [the] nation, and many weell meaning persons so abused, and should so litle understand ther own trew interest, which is too sadd a prognostick, for Gods anger seemes not to be yett turned away, but his

hand stretched out still . . . I would not have your lordship nor any honest man discouraged, notwithstanding of what opposition may be mett with . . . I dowbt not, but the dissolution of the parliament of England, will cawse various thoughts amongst you and the calling of a new on. Thers no fear of that with you, if people occasion it not themselves, for the King is very willing to doe all right to ws if wee be not wanting to ourselvs."

139. The SAME to the SAME. 13 February [1690]. The first part of the letter relates to an adjournment of the Parliament owing to the uncertainty of the King's visit to Scotland. "I cannot yett returne a positive answer to the Councells letters, but am doeing what I can to gett ther demands satisfied. I acquainted the King with all. There will be a frigatt sent down in few days, and I am pressing the sending of the frigatt to the West Coast. This must serve your lordship and Cardross for I cannot gett wrett to him nor to any of my own. I wish you both and other honest men had advised what was fitt to be done on this emergent; you know what hath passed formerly, and so may guess at what may be expected. I wish you had wrett freely. It concerns all who wish weell to the interest to consider weell, and be unite and guard against suffering themselves to be abused or mislead throgh mistakes," &c.

140. DRAFT LETTER. The Earl of Crawford to [Lord Melville], in answer to the preceding. Edinburgh, 20 February 1690. He communicated Melville's to Lord Cardross. Well affected persons wish that the Council were differently constituted, or some fixed friends added to it, for,—"1st. There is great difficulty and seldom obtained, but by a struggle, that any man be made or keept prisoner for considerable venturing against the Government. 2ndly. There is such gentleness in treating of men when committed to prison and such overly examinations even when presumptions are high, that an appearance before that board is no more frightening to a criminall then a meane mans comeing in the company of so many persons of high quality. 3° It is confidently asserted that as the Council is now constitute the meanest favour will not be granted to a Presbiterian, nor the greatest refused to one that is Episcopall, in so farr as several petitions are tabled in that judicatory for turning out of churches Presbiterian preachers to make room for them of a different principle, and to repon to their churches, where Presbiterians are preaching for the time, such who upon the clearest grounds have been deprived by the Council." 4tly. He here cites as examples the case of Arthur, Archbishop of St. Andrews, whose factor had summoned his vassals for rent of crop 1689. The Earl protests that the order of Bishops was abolished, and therefore, that no one should pretend right to the rent in question. He concludes, "The western and southern shyres, and indeed all the inland pairt of Scotland are in a great rage at the adjournement of our parliament . . . I am labouring what I can to still people and influence members."

141. DRAFT LETTER. The Earl of Crawford to [a minister, perhaps the same as in No. 122 supra]. Edinburgh, 26 February 1690. . . . I shall previously discourse a little of the posture of affairs, and the humours of men of different parties. Our Church and State are in so unsettled a condition that nothing less then the great Council of the nation assembled in Parliament can possibly quiet us or secure either interest upon any solide or lasting foundation. The difficulty which then arises from the want of men of integrity and pairts is how to fill

the Throne and chair in this subsequent session, which I am convinced will meet the 18 of March. It might produce a monstrous birth if an Episcopall Commissioner were chosen to settle Presbiterian government, so I trust none of that way shall be cled with that publick character. On the other hand, so many of our way, and otherwayes men of great worth, have so debaited the prerogatives which the king claimes as unquestionably belonging to the crown, that I much question if among such any be found so favourable to his Majestie as to bear that representation. The 3d size of persons in that judicatory, I mean the sober Presbiterians, are for their number and quality so few and inconsiderable as the king hes not many out of which to make his choise. And some of the fittest of that rank are either so modest by their temper or affraid of church governments ruining under their management from the sad divisions among us, that it is doubtful if any such shall be prevailed on to accept. Yet I know the offer is at the doore of one who appears the very fittest to compose our differences from his interest with the king and credit with the sober partie, so that I would look on it as a very sadd token, if he shall declyn it upon the importunity of his friends, who, alas! seem more concerned in his and their own privat interest then the inconveniences which might arise upon any new adjournment; but I trust that person will have more of a publick spirit then to consult his own ease, privat interest, or the opinion of kinsmen in a matter of that weight. I may say with Nehemiah, the work before us is great—that wee be not seperated upon the wall farr from another: and I trust our God shall do for us, if wee would lay aside interest and passion which blinds us, I am confident wee should have occasion to say of our king as the Queen of Sheba did of Sollomon, Blessed be the Lord thy God which delighted in thee, to set thee on the thron, because the Lord loved us therefore made he thee king, to do judgement and justice. O that, instead of gratiefieing our own rescentments or endeavouring to build our familys, and that upon the ruins of the church, wee were studying to secure the interests of Christ, our religion, church government, publick saifety, laws and liberties, for all of these seem to be very evidently at staike: and if wee find not our account in the late happy Revolution under the present king where shall wee seek for it? Does not his education, his declaration for Scotland, his instructions to his Commissioner in the last session, sufficiently encourage us to expect good things of him; if wee, therefore, either entertain jealousies ourselves or suggest them to other people, I may say with Ezra and after all that is come upon us for our evil deeds and for our great trespasse seeing that [Rest wanting].

142. The Earl of Melville to the Earl of Crawford. London, June — [1690]. The queen wishes the council to give a reprieve to John M'Millan. He sends a copy of the letter and also of the petition by M'Millan's wife, and hopes "When her Majesty is so mercyfull that others will not be hard." There is little news but "They say the king never looked better, his army will be 70,000 effective. The news this day are that the French fleet is come out and said to be about 80 men of war. Our fleet sailed from Torebay (where they were put back by cross winds) on Munday last towards the coast of France," etc.

143. A Letter, unsigned, addressed "For Mr. Wilsone, at Mr. Cliftons house, in Queen Street, in Pickadilly, at the Golden Head, London." [Probably an intercepted letter] June the 13 [1690 ?]. The writer thinks his letter may have been taken. He is in great need of

money and desires his correspondent to pay him a debt, "for I long to be from this. For theres nothing here but disorder. And I believe my Lord Crawfoords hott head getts K[ing] J[ames] more freands then all his Healand armie, for moderation is the only way to make people complay, and to say truth he has little brans, and those so foolishly hott that he only makes people wearie of this gouernment that befor wer inclined eneugh to compley. This is all the account I can give you of the houmers of people, and its but a bad account of men to say that other peoples vilany and foolie is the only thing maks them begin to mind their duty. Ther some ships come to the Healands but with what we know not, but I beleeive its to carrie of the officers. Mistres Frazer will be with you once this week and shee can tell you all I have to say. Pray you writt, tho' Crawfoord or his postmaster should open the letters, for the postmaster is his cretour and I beleeive opens the letters for Crawfoord. But I wish we had keep'd our old postmaster. Adieu," etc.

144. GEORGE, EARL OF MELVILLE to the EARL OF CRAWFORD. 4 July [1690]. He thanks Crawford for his trouble in reporting affairs, and wishes more people held his opinions. "I am troubled much of severall accounts I have and am very aprehensive of what may be the consequences, if God be not pleased to give us another spirit. I need not tell you I am still what I was, and shall endeavour, by the assistance of the Almighty, to cary according to my dewty. I wish I and others concerned may be helped to know and follow our dewty without a byass, and that wee may more prize and better improve our mercies then hitherto. I wish when wee have so good a King, who is so willing and ready to contribute to our happiness, wee may not obstruct it ourselvs; it wer but thankfulnes and good maners considering what the king hath hasarded and done for us and how much he condescends, to give some suitable return and not to shew distrust nor to cary so as if nothing but all our will and in the tyme and way wee please will satisfie. Sometimes all peoples will may not be their weell. I wish the things of greatest concern to the nation may not be left unsetled by jangling about lesser matters. I should think, as to the mater of church government, Episcopacy once being legally abolished, the best way wer at this tyme to hold in generals or refer to the setlement 1592, for thogh severall things might require amendements, I cannot presently looke to the Act, yett I feare if particulars be too much descended too at this tyme, considering all may not be on the same bottome, it may occasion the making such restrictions and limitations as may cause heats and divisions which might prove very hurtfull and does much retard things. Some things may be left till afterward and might goe easier away when people by the prudent and pious carriage of ministers might come to see ther is not such a ground of prejudice against them as many entertains." He also expresses his opinion about the rescinding of forfeitures.

145. The SAME to the SAME. Holyroodhouse, 23 August 1690. "Yours of the 21 instant I receaved, whereby I perceave that severalls of the maisters of that University [Edinburgh?] declair that in conscience they could not delyver up the University books nor the originall rights of the old coledge, and therefor proposing whether or not the Councells authority may be interposed and an order directed to the Magistrats of that place to seaze and secure the evidences of the University. I did not expect such refractorieness against a Commission of Parliament, which hath power to delegat and hath seigned the instructions of your comittee; and therefor by your propper authority you may seaze and

secure these evidences if they continue to refuse to delyver them, that being absolutely necessare for executeing the pouer granted to you by the comission. The oposition is the more strange that these wreats are not to be taken from the University, but that you may have inspection to give an account therof, nor did I think it the credit of the Comission that they should need any assistance besides the authority of Parliament; which is all at present from, my Lord, your lordship's humble servant, Melvill." "What I have wreat is by the advyce of lawiers, particularlie the Lord Stair, therefor you may consider what is propper for you to doe."

146. DRAFT LETTER. Earl of Crawford to [a nobleman, but not apparently Lord Melville]. Edinburgh, 16 September 1690. "My Lord,—His Majesties escape from danger while in Ireland, the success of his armes there and safe return to England do fill the hearts of his faithfull subjects with much joy. His affairs in this nation have succeeded well under the management of his Commissioner [Melville] and I trust in a short time will terminat in a serene calm. There is of late such a discovery of persons and things as I hope the king can be in no doubt who are sincerely for him and who are out of their duty. The character I gave of some persons and interests hes not failed, and a little time will make it evident what sinistruous aims some have had, and how others have been acted by interest rather than true zeal for his Majesties service." He expresses his gratitude for favours done him.

147. GEORGE, EARL OF MELVILLE to the EARL OF CRAWFORD. London, 11 October [1690]. He had written with a commission to Lord Carmichael, to represent the king at the ensuing Assembly. "I wish he may be weell, and doe not declin it, for this would doe great hurt. I need not tell you again how much depends upon their cariage at this tyme, and I wish they had had some wise and discreet person of ther own number here long before this, who I am confident would have given them perswasive reasons why its absolutly necessary they should take extraordinary good head that they doe nothing at this tyme that may furnish ther ill wishers with the least arguments to ther prejudice, otherwaies it may hasard the ruin both of ther own and the publike interest. I wish from my heart, and I would obtest them, if I had any interest with them, that they would medle with nothing but cleere uncontraverted things, and which may take away all ground of clamour; and when they have mett and taken possession and setled the presbetries, that they would adjourn till April or May nixt. Much depends upon ther behaviour at this tyme, and if they will be so unadvised as by any of ther actions to hasard ther own overturning, lett the blame ly at ther own door; I wash my hands of it. Thers but an occasion of misrepresenting sought by many, and still I thinke the shorter while they sitt and the less they doe at this tym the better for themselves and the interest; and I am confident wer I with you to give you my reasons, that you or any reasonable man, thogh the most zealous, would be of my opinion. I pray God direct you all." He then gives further directions as to the Commission and the first sitting of the Assembly.

148. DRAFT INSTRUCTIONS by King William to the Commissioner to the General Assembly. In handwriting of Sir James Stewart, Lord Advocate. Indorsed "Instructions, 1690."

Instructions.

1. That you signifie to the Assembly our true, sincere, and constant resolution and zele to defend and advance the true Protestant religion,

both in profession and practise, with our firme purpos to mentain the government of that church as now righteously by law established.

2. That you recommend to their speciall care the particulars followeing:—1. That they give all necessarie orders for repressing of poperie and profanity. 2. That they keep a firm Christian and sound union among themselves, and for that end that their debates be without heat, and their conclusions as much as possible unanimous. 3. That they shew all Christian charity and moderation toward others, tho of a different persuasion in things not fundamental. 4. That they would applie their first thoughts, and make it their first work to plant and supplie vacancies with godly, learned, loyal, and peaceable men. 5. That in inflicting censures they inflict them with Christian charity and to edification, upon the grounds laid down in the act of parliament for setling Presbyterian government. 6. That bare difference of opinion in mater of church government be not made a ground of censure.

3. That you appoint and ordain for the church a suitable allouance to be payed to them yearly out of our treasurie, as hath bein formerly in use to be done for expeding of their necessarie affaires, which we will take care that the Commissioners of our treasurie cause pay punctually at tuo termes in the year, and if their present exigence, by reason of visitations and the like occasions, require more that you represent it unto us.

4. That you declare to them that for such vacant stipends as shall fall to us as patrones to be disposed on for pious uses, we will dispose thereon by the recommendation of the presbyterie within which the vacancy happens, specially for the releiff of poor deserving ministers, tho laid aside, and of ministers relicts and bairns; and that we will give the necessarie orders to the Commissioners of our treasurie thereanent.

5. That you allou them to choise an advocat and agent for the church according to former use, and that you approve their choise and ordain the persons chosen a suitable appointment out of the forsaid allouance.

6. That you recommend to them to dispatch their affaires so sone as they can, that ministers be not detained from their charges, and that you transmitt us an authentick double of their acts with all convenient speed, and that they, with your advise, appoint the time and place of the nixt Assembly.

149. Draft Letter. The Earl of Crawford to the Earl of Melville. Edinburgh, 14 October 1690. He had sent to Lord Carmichael. "I think the king hath made choise of an honest and moderat person to represent him in this Assembly, and in as farr as I am capable, will endeavour to assist him in counseling the ministers to a short session and mild behaveour, for quhich I found them sufficiently disposed from a due regard to the kings present circumstances, and their own true interest, tho ther had been no precaution given them either directly or indirectly from Court." He is thankful he bears no representative office in this Assembly, as at this time it would have been too much for him to sustain. [On the same paper is a draft letter to Carstares, expressing confidence that the great affairs in church and state would terminate well.]

150. The Earl of Melville to the Earl of Crawford. Whitehall, 14 November 1690. . . . There was a reprieve sent down for Captain Bruce, who was concerned in that unhappie busines in Edenburgh. The reason was least upon a popular jurie, which is

ordinar on such occasions, the gentleman might have been hardly delt with, or other inconveniencies might have followed. I am glaid to hear he is assolzied. Upon the earnest solicitation of manie here, the King haith granted another reprieve to those officers concerned in that busines at Glasgow from execution. Art and pairt is not a thing understood here. This is not to stop the procedure and putting the affair to a tryall, for the king is desireous to know the true state of it, for, as his Majestie is verie merciefull, so he is inclinable that justice should be done. The sooner the true account of this come the better it will be, that it may reach him before he goe for Holland. I long to hear of an happie and calm close of the Assembly." The King is anxious about the garrison at Inverlochy, and that everything be done for its encouragement.

151. A PAPER, upon which are copies of five letters. (1) John Leask to his brother the Laird of Leask. London, 15 November 1690. He had waited on Sir John Dalrymple, but nothing can be done to repeal the Laird's sentence till commissioners are sent by his church to represent grievances. He advises an address to the king signed by the nobility and gentry and clergy representing grievances, and the Earl of Nottingham and others, with the bishops will espouse his interest," &c. [probably an intercepted letter]. (2) Letter from Colonel Hill, Fort William, to the Earl of Crawford, 16 November 1690, thanking the Earl for his kindness "particularly about the 1000 firelocks. I exceedingly rejoice in the happy accord and progress of the General Assembly, and that they embrace your lordships prudent advice, not only for the King's advantage, but for the churches more happy union and surer settlement," &c.

(3) Another from Colonel Hill of same date. What he has to communicate to the Council, he will do by the Earl's hand "for I know they are not all of one family, and these Highland lairds that yet stand out (on expectation of French supplys in the spring) have said it to some who have told me againe, that they are put on and supported by some of the Council," &c.

(4) A LETTER, unsigned, dated London, 18 November 1690, addressed to "Mr. George Henry, minister of Corstorphin, in the Potterraw, Edinburgh, Scotland" [evidently an intercepted letter] . . . "The Bishop of London is civil, but Scotts bussines must be done by Scotts men. There is a crisis expected in the Scotts affairs very speedily. I hope my lord [the Bishop of Glasgow] will direct me to whom I shall write with safety. . . . It is thought if the nobility and gentry that truely own Episcopacy wold bestirr themselves, the reign of Presbetry wold be as short as it is severe and creuell. . . . Sir John Dalrymple is very civil to me, and much more kind then some others of our countrey men. However, I have sufficiently bafled the clamours raised against me by some waspish and pedantick people," &c. [The writer of the above, though it is unsigned, appears to be Dr. Monro, late Principal of Edinburgh University.] There is also—

(5) A LETTER from him, signed Al. Monro, addressed to his wife, "Mrs. Monro in the Colledge of Edinburgh," but of no intrinsic importance. [Date, 20 Novr 1690.]

(6) A LETTER. The Earl of Linlithgow to the Earl of Strathmore. London, 20 November 1690. . . . "Now, as to publick affairs all I can say is that they are yet in some uncertainty. The King was once fully convinced of the danger and untractableness of the high flowen Presbyterians, and was resolved to put a byass in the Government on the other side, but I am affraid that is a little coolled,

for no body hes appeared here, but Earl Balcarres and I, altho the Duke of Queensberry undertooke to be here in a few dayes after me, and there is great pains taken to perswade the King that wee were extreamly concerned in the Clubb plott, but all that is trew of it is that they acquainted us with it, upon quhich immediately we broke off from them, and would meddle no more in these matters. Earl Melvin made great professions to me of a good tym, and does so still, altho he has delayed presenting me to the King these ten dayes, pretending allwayes he cannct get the King at leasure to speak to him, and yet I know on Tuesday last the King ordered him to bring both Earl of Belcarres and me to him. However, that shift shall not serve long, nor do I believe he will be long in that office, but will be sent down Chancellor, and I believe Sir John Dalrymple will come in here, but with a conjunct, but who that will be I cannot tell," &c.

152. GEORGE, EARL OF MELVILLE, to the EARL OF CRAWFORD. London, 29 November 1690. . . . "I hear the Earle of Wigtoun is at the late Kings court at S[t] Germans, and would gladly be at home, and might come away if he had money. This I have from a good hand. He sayes he hes wryte severall times to your lady in relation to this, but hes had no return. The sum he demands, as I remember, is 200 lib. sterling; whereof he would have 50 or 60 remitted to Paris, a pairt to Rotterdam and a pairt to London. Your Lordship may consider what is fitt to be done in this, and if you think it can be done, I will endeavour to take care hou it shall be best manadged. I wish some greater sum might be provyded if possible, or something would be hazarded in this caice, and this would be keept absolutely secret, and the money remitted to London, and putt in a sure hand. If it goe any further then your lady I will not ansuere for the manadgement of the affair. I have spoke with on who left him within these ten dayes, and who I believe might be persuaded to goe back and bring him away for some gratuity. If my advyce were taken it should be hazarded, but I intreat again it may be keept secret. I cannot yet find any grownd for granting that proposition in relation to Perth [the Earl of Perth]; houever, its fitt you speak nothing of it. The King is willing that some of those prisoners he hes in Ireland be given for him if that will doe, but the first I think still the best way, so that it be discreetly manadged," &c. He added in a P.S. "My Lord Wigtouns brother is at the Coledge of Dowie." [There are one or two letters from Lord Wigtown, or on his behalf, in this collection, chiefly asking for money to take him away from France. He at last wrote to Lord Melville (letter, undated, c. 1690), which probably was the cause of the Earl's epistle above quoted.]

153. HOLOGRAPH DRAFT LETTER from the Earl of Crawford to the Earl of Melville, apparently in answer to the above. December 12 [1690]. "My Lord,—As I have prejudice to no man, but such boules of pitie as becomes a Christian to persons in a hard condition, and ame not void of that generositie which may be expected from a gentilman, so I was cheefly straitened in my behaviour to the Earle of Perth, when at anie tyme he applyed for enlairgement, by his circumstances with the parliament, being under a summonds of treason, which I apprehended the counsell could not determine in without a speciall order from his Majestie, to whom his case was remitted by that great assemblie. Besides I thought it just that since my lord was the only occasion of sending my Lord Wigton and his brother to France, he ought to be the pledge for their recoverie, and I trust that a Protestant king, who

relieved these nations from the threatening yock of approaching poperie will give directions to his counsell, out of pitie to those young ones and their relations, that the Earle of Perth have no enlairgement without his undertaking within a short dyet, and under a deep penaltie, to bring them home to their tender mother, from whose armes he tore them at a younger age, and by whose influence to my certain knowledge they have bene detained in that Popish nation. As the dicision in this conserning matter is cheerfully and in all dutie laid at the Kings feet by the affectionat mother, so the maner of manadgeing it with his Majestie is, with confidence in your lordship, committed to you by." On the back, "For Mr. Booth, at the sign of the Hair, almost over against Gray Inne gate."

154. CAPTAIN EDWARD BRICE to the EARL OF CRAWFORD. Drummond Castle, 31 December 1690. "My Lord,—I send herewith prisoners, Alexander Leslie, a Popish priest, with John Ferguson, both taken upon 25 instant att Stobhall, by a party I sent for that end under command of Captain Stile, who is the bearer. Mr. Thomas Creighton, chamberlaine to Earle of Perthe, with his wife were both in the house att the time and their wants not cause of suspicion, their having the idolatrous mass in that familie the night before. How farr this will reach Creighton being under bonds (for his last crime of same nature) your lordship and the honourable boord [the Privy Council] are most competent judges. I was out with a party all last night in search of the rogues who dailey troubl this countrey, but had not the good fortune of meeting any of them. About three weeks since a party of this garrison recovered againe from them a spreath of sheep they had taken off the Oghhills, which were restored immediatly to the owners," etc. (Signed) "Edwa : Brice."

155. DRAFT LETTER [holograph] from the Earl of Crawford to King William the Third [no date c. end of 1690] with a contemporary copy. "Sir,—When I had the honour of the last conference with your Majestie, I was heard with patience in the representation I made of the church and present state of Scotland, and shall make no repetition of things then spoaken haueing left with your Majestie a memoriall of the most significant passages I hinted at: but from your answer, which was oblidgeing, beyond what I could lay claime to, I am encouraged to this second address, and the raither that I judge it highly for your service, that yow be further informed of the tempers of your people in that nation, and the projects on foot, under specious pretences, to give your Majestie unfavourable impressions of some persons and things.

"Your Majestie's purpose of uniteing your subjects of different persuasions, on the termes of truth, and for attaining of a warrantable peace is a glorious designe, and wold carrie along with it great advantages, if it took effect, but am affraid the difficulties in that endeavour betwixt your Presbiterian and Episcopall subjects, are so manie as they shall prove insuperable, and the inconveniences great, if not fatall to yow, if yow fail of successe, and that England wold take a greater alarme at such a middle way in Scotland, then if presbiterie there continued untoutched, and in the terms of the present establishment.

"The clergie who pretend to episcopacie cannot plead conscienco for their tenacious adhearing to that way, the aged men amongst them, who make up a great pairt of their number, haueing lived verrie contentedly under presbetrie, before the restauration of bishops in 1662, and at the year 1669, all of that communion swearing to the indifferencie

of church government, which is inconsistent with a scruple at either forme: nor was this oath taken only by the clergy, but lykewise by all the favourers of bishops of anie significancie in the natione, whereas those of the other side, ministers and others, haue endured the outmost sufferings, by fineing, confineing, imprisonment, and banishment, without relinquishing their way, it being to them a reall principle and matter of conscience, and the temper of the people being in manie places such as they wold dislike their ministers, and refuse to hear or own them, if they yeelded to the condesentions importunatly demanded by some. Can it then be imagined that those who endured the rigors of the late times, raither then disturb their inward peace for any outward ease or advantage, will now under the moderation of your reigne, comply in those matters upon which they then stated their deepest sufferings, and with patience continued under them, untill your Majestie gave them a reliefe, and rescewed these nations from what had been grieveing to them. I shall urge nothing from Scripturall arguments, that being the pairt of a divine, and out of my road, and in my reasonings shall limit myselfe to such things as refer to your interest. I know your Majestie putts a difference betwixt those who lodged the government in your hand, and have candidly endeavoured to support it, and such others as opposed your accesse to the throne, and haue attempted to make it totter since yow were seated on it. Such is the case betwixt those different parties, unto the conviction of every treue subject yow haue in Scotland who hath bene at the paines to observe our severall manadgements.

"Great is the industrie of some, to give jealousie to your Majestie of your Presbiterian subjects, as if by their very principles, they were lesse loyall than others, and for proof of this they goe back to the misfortunes of the late tymes, and instance the streatches of some men of warm tempers, who were never approven by their pairtie in such courses. Wold it not be thought hard dealing in me to turn the scales, and represent how manye hundred of the prelatick clergy in Scotland within these thirtie moneths, have preached and prayed against the government, and have bene found practiseing in severall plotts: how others pretending scrouple to pray for your Majestie in that nation, haue yet for greater benefices gone a greater length heer then was required of them there, and taken aleadgeance to your Majestie, and to impute all this to the error of Episcopall principles. I may assert upon solide grounds, if that sett of men had not strained your Majesties designe in those three letters from Holland, unto a further degree of favouring them, then I ame convinced your Majestie intended they had befor this offered to join issues in the termes of the act of parliament and the rules of the Assemblie, with the Presbiterian ministers in whose hands the government is lodged by law. Hath that pairtie reason then to complain when such of them who haue owned the state doe preach in their churches undisturbed hitherto, without a question to them in church matters, or the lest acknowledgement of the legall establishment, and peaceablie possessed of their benifices; and such others, who were deprived for their tenacious adherance to the late Kings interest, are connived at in their privat conventicles; and whenever they appear befor the counsell and disprove their former disloyaltie, are in the case of other ministers of their way, and where they are realie poor, have stipends given to them, before they come that length. Can nothing lesse then serve to quiet them, then the being erected in a distinct church independant on the settled government, by which means they wold keep up the rent, or must they have ane equall share in the

rule, when being farre more numerous they wold in a short time thrust out those other ministers of the Presbiterian way, and ordain such only as were of theirs; which instead of cureing wold perpetuat the division, or eradicat that government, which your Majestie affirmes yow designe inviolablie to preserve.

"If it might consist with your Majesties good lykeing to remove the present stop on the power of the church of Scotland, in reference to the inflicting of censures, I ame convinced ministers doe now understand your circumstances with this nation, and designe in the other so perfectly well, that they wold be very tender of yow and in als farre as is consistent with their principles and saftie endeavour your satisfaction: and the angry men on the other syde, who now spurne at our church, and goe to that high flight even the debaite of the validitie of Presbiterian ordination, wold presently stoop and submitt to the termes required, and if there be anie who deserve well for pietie and pairts, such would be readiely receaved, and industriously encouraged, both by ministers and people.

"Sinc I have taken on me to speak to so great a King, may I without offence to your Majestie, represent that the mixture in judicatories in our nation of men of different affections to church and state, is the chief if not the only reason your affaires there have gone on so slowly: and if the small addition in the counsell be yeelded to, which is urged by some, as it will be uneasie to your most faithfull subjects to see those in power who haue bene their tormenters, and encourageing to a worse sort of men, so I wish it cast not the ballance, as matters will runn in another channell then that of your true interest: if my word can be trusted, as I haue prejudice at no man, so I haue no other aime in this insinuation, then your Majesties service. Farr be it from me to limite your clemencie to anie, yea, may they freely shaire of your bountie, even such who have acted ill things in the late government and since the last change, if by this they can be gained to your Majesty; providing you doe not cloath them with a power to undoe the steps are made for our settlement, lett them have what other rewards you will.

"A significant project is now on foot att one blow to overturne all our foundations, in church and state; and endeavour to dissolve this parliament, which was no less active in settleing your Majesties government than it hath bene, and will be zealous in the mentaining of it. The heumor of the nation is greatly altered from what it was in the beginning of this change, the counsellours of the late tymes being then under the dread of the nation, and the oppressed enlivened with the joyous prospect and firme expectation of significant and favourable alterations. The first have gott more heart, and wold now make ane other kind of struggle in elections, then they did at the Revolution; and the second are farr more subject to the insults of adversaries then they were some tyme agoe: besids it gives a badd aspect to that motion, that it was hatched and is propagated by such as to this hour are not for your Majestie, but haue other things at the bottome of it then was ever suggested to yow, or can abide a treu light. It is peace to my mind, and was my chief designe in comeing hither at this tyme, to unfold that deep contrivance, which I ame convinced in the issue wold be verry fatall to your interrest, and I trust will be therfor happiely prevented.

"The modell of your armie in Scotland wold be enquired after, for though yow have men of worth who serve in it, yet it is evident that in case of intestine broyls or forrain invasion, severall of your forces in that nation wold be better elsewhere; but this being out of my sphere,

I forbear insisting on it, though in faithfullnes to your Majestie I judged it dutie to give yow this short animadversion. By your Majesties letter in Januarie last, directed to the Treasurie in favours of Hamilton of Binnie, the lords were ordered to put the cesse and excyse presently in his hand for the regular payment of the forces after they had by anticipation bene necessitat to draw precepts of the cesse for the terme of Candlemes 91, unto the extent of 11,700 lib. for keeping the army togither at that tyme, who were ready to scatter, and for some necessares to Innerlochie, which putt them to a very great strait. In the one balance was the danger to us to employ the money for anie other end then the parliaments destination, the clamour of the souldiers for diminishing the fond for payment of their arriers, the provocation to the countrey for minceing that which should haue payd them the exaction of free quarter by the army; and in the other scale were your Majesties commands to observe such termes to Binnie, and to sett him down on ane equall foot, without which he could not performe his conditions, and pay the army regularly afterwards, and the danger in looseing the nation by the mutiny of the forces at that tyme, and the necessitie consequently of stilling them; which last reasons preponderating with us occasioned our drawing upon the receavers 11,700 lib. out of the Martimes cesse, allocat by the parliament for payment of arrears to the army, and dues to the countrey, for supplement to Binnie of such a proportion of the Candlemes terme, as we had intermitted with, before your Majesties letter was produced by him. Your Majestie had a speciall representation of this in four severall letters from the Treasurie, but without anie direction how to manadge our selves in that affaire.

"The earle of Perth by a vote of the counsell is now at libertie, untill the first of Januarie; and I question nothing, will then be plainly dischairged, if your Majestie by your commands to them doe not interpose, and load his enlairgement with the bringing to Scotland my Lord Wigton and his brother, he being the only pledge for their recoverie, as he was the single occasion of sending them thither, and still detaining them there."

156. Colonel John Hill to the Earl of Crawford. Fortwilliam, 16 January 1691. "My Lord, I would not writ what I now doe to any but your lordship. The truth is, I am vnder regret of mynd when I observe howe matters goe, that plots and conspiracys are many and honest men too few, and those discouraged; the Church of England flying high, and few incouraged but such as favour their way. I know who would be truest to the kings interest, and it lookes as if the king and all were to be sold to the will of their enemyes; but I am supported to thinke that God has the raines in his hand, and that its hee that gouernes the world, who [has] done wonders allready, and I doubt not will carry his owne work against all opposition . . . I thinke its hard to disband soe many honest men in the midst of all these conspiracys, and beleauieing that if the French King can he will give us divertion, and then if wee have not God of our side, whom have wee? The Lord see to it and judge the false hearted parte of the world," etc. (Signed) "Jo. Hill."

157. Contemporary Copy Letter. "J. Ferguson" to Sir Thomas Livingstone. n. d. "Sir,—Since my last, the Marquis of Athols chamberlain hath sent in a prisoner, one of McKoule's gang, who is a great theefe and robber; he deserves to be hanged. The gentleman assures me that if McKoule himselfe come into their bounds he shal

give me a good account of him; at present the villaine is in Renath, twelve miles above Blair, and the last week he marched up by that garison not one takeing nottice of him. Major Monro marched from Perth this morning in order to releive it, and upon Saturday last Lieut.-Collonel Lumsden marched to Finlarig. Sinc the news of the takeing of Mons the whole countrey is turned madd, and I am of the opinion if a hundered French should land, the most part of the gentrie and loose fellowes would joyn them. All this occasioned by our abdicated ministers, who are the only incendiaries, and the divell's emissaries, makeing it their whole bussiness both to preach and stirr up the people to rebellion. We have two of that stamp here at Perth, who preach in their own houses, and never pray for King William and Queen Mary, but for those in lawfull authority, which ought not be suffered. I shal impatiently waite for your orders to putt a stop to it, and shal allwayes remaine," etc.

158. Draft Letter to the King, from the Earl of Crawford. Edinburgh, 6 January 1691. "May it please your sacred Majestie, The duty of a true and faithfull subject, with that great trust wherewith it hath graciously pleased your Majestie to honour me in your affairs, as likewise that particular concern that all that love the Protestant religion and the good of these kingdoms must ever have in your Majesties preservation and prosperity, oblidge me at this time to give your Majestie this trouble. When your Majestie was in Brittan, I contented my selfe to have you the inspector as well as the director of all my deportment, but now that the great interest of the defence of the Protestant religion, and rights of all Christendom, have called your Majestie abroad, I must crave leave to say, as in the sight of God, that from the first minut that I heard of your Majesties resolution to appear for our rescue from popry and slavery, I have ever preferred, and shal allwayes preferr, the interest of your Majesties safety, greatness, and glory to all my worldly desires. In the meeting of Estates I laid out my selfe with all sincereity to promove your Majesties settlement upon such foundations as I and all good men thought would be most acceptable to God and your Majestie, and conducable to this poor countries releefe and quiet. I am, which I know your Majestie well allowes me to say, a Presbiterian both by education and choise; and had seen and felt the sad effects of prelacy in this land; and am perswaded that in Scotland it is as contrary to your Majesties interest as to the inclinations of this people; and, therefore, did very heartily concurr in that legal settlement of the church, which is now so happily effectuat. As for the persons of men, I never had, nor shall entertain any prejudice against them, as I can affirm it to your Majestie, to whom I am most tender to say nothing but truth, that I never concurred to the throwing out of any of the late clergy, except when their obstinat disaffection to your Majesties government was both visable and dangerous; and that, on the other hand, where this obstinacy and danger did not appear, I have been particularly instrumentall to retreive severals of them, in hopes of amendement. Nor was I less carefull to intertain and promote that moderation that was shewed in the late Assembly of the church, as being truely convinced that moderation is no less the interest of true religion and of this church, then it is known to be your Majesties royal temper and inclination. And now that your Majestie is gone abroad, as my hearty prayers are to God for your prosperous voyage, and happy return; so nothing can be more desired by me, then to know your

pleasure how I should govern my selfe in subserviency to your great designs and the advantage of your service. I am perfectly satisfied that your Majestie in your royal wisdom purposes in all changes the real good and advantage of religion and your people: And tho these be evil times, wherein mens minds are both too inclynable to jealousies, and too easily impressed by them, yet I trust that God shall so direct your Majestie in all things as to give full content to all your good subjects, and to defeat all the artifices and opposition of your adversaries. Great Sir, this I have presumed to lay before your feet, the true thoughts and wishes of my heart; to which I only crave leave to add, that to receive the honour of your commands, and to comply in all things with your Majesties pleasure shal ever be most satisfying to me, as becomes the duty of, Sir, your Majesties most faithfull, most humble, and most obedient subject and servant."

159. Sir William Bruce of Kinross to the Earl of Crawford. Kinross, 2 April 1691. "My Lord, my son wrot to me some time ago that your lordship was told that I was not sincear in setling the church of this paroch with a Presbyterian minister. I will not think that your lordship will question my sincearity; sure, it was not doubted in my lord your fathers days, nor even some time in your own; and possibly now after such disorders as hes for three Sundays together [*see* Miscellaneous Papers *infra*] falln out in this paroch, your lordship may be dealt with to doubt me the more. But as I am far from the being the author of it, I have been certainly sincear to have had this paroch setled with a Presbyterian minister, more to prevent such scandalous practices and evils which attends rablings, and for the unity of the nighbourhead which hes continued in strife upon the account of calling a minister ever since the people got the right of presenting, then that I affecte the present church government more than the former. And had our Presbytery done their part with as much zeal as I have done mine, these evils had been prevented, all difference removed, and our church favourably planted. This bearer, whom I have desired to wait upon your lordship, is a true Presbyterian; he hes from the first attended Mr. Spence doctrine, who is the minister of the meeting house here; and was one of those who were commissionated latly from this paroch to acquent the presbyterie of the true ground of the contention among the people, and to propose means of accomodation, and from the beginning of our late devission, as well as of an older date, he knows everie step I have made. Pray, my lord, put him to it, to give your lordship an account of my deportment, and who is to blame, Mr. Spence, the presbyterie, or I? And its possible your lordship will finde little reason to quarrel my part, either in neglecting or obstructing any thing tended to the setlement of the church and spirits of the people. But I have been so maltrated, mistaken, and slighted (whether from humor, ignorance, or want of education I know not well) that to treat or medle more with the brethren of that presbytrie is equally lothsome to a vomiter; and for their supperintendent, at least constant moderator, Brea, he is above my reach and, I'm affrayd, all naturall understanding. Take not this freedom il; its in the old manner, from an old friend, indeavouring justly to preserve his integratie and your lordships former good oppinion of, my lord, your lordships most humble servent, W. Bruce."

160. Letter to the Earl of Crawford from "Ja. Stewart." Glasgow, 3 June 1691. "Saturday last I came here from Inverlochy, but had no sooner an opportunity to give your lordship an account of the affairs

about our garrison, which are as follow:—Our Collonell (of whose fidelity, prudence, and piety your lordship needs not doubt of) was dealing with the countrey thereabouts, partly by threats and partly by fair means to submitt to the Government, and laid out to them what advantages redounded to them (which they all acknowledged themselves sensible of) and also what he was like to bear from the Government for his lenity towards them, which reproach he behoved to repair upon their ruines if they submitted not, and after your lordships order with the rest of the Privy Councells order came for hostility on them, he imediatly sumoned all to appear against such a day; and pursuant to the said sumons all about the garrison of the name of Cameron (Lohell excepted) have come in and taken the oaths of allegiance and are very subservient to the garrison. Some also of the M^cc^Lanes has done the like, and of the Stuarts of Appin (the Laird himselfe being to wait on the Earle of Argyle, when he comes to Inverary, and also some of the M^cc^Donalds of Glenkoe. The rest indeed are standing out, being Papists, and have fortifyed Glengarry. And he is dayly going on to take bonds of many yet, notwithstanding of the countermand of that order and does not let them know of it, so that if oaths be assurance enough for Highlandmen, there is enough of that; and I am sure, unles some forraigners, and that must be French and not Irishmen, land, their rebellious heads will have but little following this year. Lohell himselfe is about building a sawmill within a mile and a halfe, and a corn mill, of our Garrison, which is no great sign of his intended resistance of the Government; but this, my Lord, I dont write to render any man secure, for it is all mens, especially true Christians, duty to be stirring haveing so vigilant an enemy to deal with." He further expresses the obligations of the garrison to the Earl for his friendly services, but refers to their spiritual wants. "That a thousand souls should starve there, and in a little while be brought to that, that they will not know if there be a Sabbath, or a ministry or ordinances. Even the laxest men among us regrate it much and is a sad exercise to many; it was scarce so with some of us in the hottest persecution. Yea, even the countrey gentlemen about us who have submitted, upbraid us for it, who say they would heartily joyne with us in the ordinances. I presume this freedom with your lordship, hopeing your lordship may be the onely means to help it that we turn not altogether heathens instead of almost Christians, &c." (Signed) "Ja. Stewart."

"Our friggot is rigged out this week with eight guns, with an officer and 30 men aboard of her, and are cruiseing among the Ilands. There is like to be a happy concord between the ministers and the strict disaffected party of the Presbiterians in the west and south which betokens good."

161. Sir Charles Porter, one of the Justices of Ireland, to the Earl of Crawford. Dublin, 3 June 1691. Lord Coningsby is with the army at Mullingar, and the writer therefore informs the Earl that the French fleet "consisted of about 35 sayle of merchantmen the biggest not above eighty toun in burthen, and some few (but how many we know not) men of warr for convoy. They are a moneth since arrived at Lymrick with provisions, some ammunition, cloaths, and officers, but no soldiers nor any mony considerable. They have Mon^r^ St. Ruth to be Generall and two Frenchmen more to be Leift. Generalls. This succor upon the first comeing was reported to consist of men too and much greater provision, and the Irish did then give out that a body of Horse and Dragoons were to be transported into Scotland. But we since finde it is not lik to bee so, because wee are told the shipps are

allready returned for France, and the provisions they brought are not sufficient for six weeks for their army. The Generall intends this day or to-morrow to attacque Ballimore if the enemy doe not quit, which we have reason to think they will, because they have withdrawn all their army to the other side of the Shanon, and we think they will not leave 4 or 500 men to certain destruction. It seemes to me that they intend to make the utmost opposition at our attempt to pass the Shanon: their rendezvouz is at Lough Reah, which is a convenient post from whence they may soon be at Athlone or any other adjacent part of that river. Our army is in very good order and well provided with all necessaryes, and our quarters well secured by the militia and part of the army against the attempts of the enemy and the depredations of the Rapparees, so that wee may hope by the blessing of God to see a good issue of this warr in a little tyme." He and the Lord Justice had written to the Privy Council of Scotland that the King had ordered a correspondence to be kept up between the two countries, &c. (Signed) "CHARLES PORTER."

[There is also a shorter letter of same date to another correspondent (unnamed) giving similar information as to the fleet, adding that it was boasted they carried the Duke of Berwick, &c.]

162. COLONEL JOHN HILL to the EARL OF CRAWFORD. "Fort William, 18 June 1691. My Lord. Since my last (by one from Kintayl) I have intelligence that Buchan carryed the ship with provisions to Island Donan (my Lord Seaforts house), which after some shots on both sides was rendred and they have placed all their cargoe there with 40 men; but I have sent an intelligent man to Sky to know how all the affair goes, which (soe soone as he returnes) I shall give your lordship an account of. I find some of the Highlanders themselfes are of opinion that they have all the assistance they may expect this year. I wonder none of our frigots come this way as was ordered; our litle one is out to make discoveryes. I should have had much more of the people under oath had not this provission ship and my Lord Broadalbins designe hindred, which I wish may doe good, but suspect more hurt than good from it; for my parte hereafter, if I live to have geese, Ile set the fox to keepe them. My Lord, here is one thing like to fall heavy upon us. There being 58 men short upon the last muster of this regiment, one of my officers writes me that your lordships have ordered soe much money to be defalked out of the pay. I can hardly credit it, for at that rate the regiment will be ruined; for the case is not with us as with others, for wee can have noe recruits here nor vnder 100 miles of, at least, and an officers pay being wholly spent, will not keepe up his company; for if wee bring up 3 men, 'tis twenty to one but one of the three dyes, and soe many have dyed and dayly doe dye, that wee shall spoyle a very fine regiment if their be no incouragement for recruits. I would be as good a husband for the King as I could, but this money safed is to the loss of his service. There is a lieutenant of myne waiteing an order for bringing of the partie from Zetland, where I perceave noe money is to be had. I humbly pray your lordships favour therein that he may have order to bring them of. There is 52 men besides officers and wee want them here," &c. (Signed) "Jo. HILL."

163. ANOTHER LETTER from Colonel Hill. Same date. "My Lord, Since I writ my other letter, I have certaine intelligence that this ship brought nothing but brandie, salt, wheat, and flower, only two barrells of powder, and a litle shott, but noe armes nor money, and they would faine sell their flower and brandie which is all laid up in Island Donan;

that the ship is aboute 200 tuns, a merchantman with 16 guns; that the other ships (reported to be on the coast) came noe further then Sligoe; that as soone as this ship goes back, the same pilot is to bring in another, which is the ship Captain Browne was killed out of, who was a privateer when the Frensh ships first brought over the Irish from Carrickfergus. If our men of war will waite for the other they may take her as they might have done this had they been in the way, for she had but 42 men in her. I have sent to my Lord Argyll to give notice to our men of war if they were any where upon the coast. There is one Gage that carrys letters frequently from Buchan to Edenburgh, a thin faced man, hee would be watched and inquired after," &c.

164. Sir Charles Porter and Thomas Coningsby, Justices of Ireland, to the Earl of Crawford. "Dublin, 20 June 1691. . . . Their Majesties affaires in this countrey are in a prosperous condition. The army is marched towards the Shannon with intention to passe it very sodeinly, and in their way have taken the garison of Ballymore which yielded at discretion, where wee found 56 commission officers, eight hundred common souldiers detacht of their best men, and about 260 of those wee call Rapparees and they volunteers, all which wee have now prisoners. Wee hope it will not be long before wee give your lordship an account of further advantages of their Majesties forces in this kingdome. If God give us good successe in passing the river, wee shall be able in all probability to drive the enimy out of the feild, and reduce the whole kingdome in a short tyme to their Majesties obedience, which wee most heartily desire as that which will in the first place be extreamly happy for their Majesties and these nations, and in the consequence beneficiall to the greatest part of Christendome." &c. (Signed) "Charles Porter," "Tho. Coningsby."

165. Draft Letter. The Earl of Crawford to the Justices of Ireland. Edinburgh, 29 June 1691. The Government here are very desirous for a correspondence, and have made proposals for securing it. "Our affairs here are still tending to a more settled peace, the edge of adversaries every day blunting, and many of them at least feinging submission to the Government. Friends are greatly encouraged by the favourable account of matters with your lordships and state of the army in Flanders." He then gives account of the French ship, laden as Colonel Hill describes, and of the taking of Island Donan, "a place of little import, except for a magazine for them." "The island of the Bass near this place, in the absence of the Governour, and by the treachery of his deput is now in the hands of some forfeited persons. It only serves for a prison, and they project their pardons before they delyver it up, which I judge will not be yeelded to as inconsistent with the credit of the government, since they can easily be starved out of it. My wishes are very ardent for the success of his Majesties armes in Ireland which will finaly determine matters in this nation without we meet with a forraign invasion, of which at present, there is smal appearance, &c." [On the same paper is a draft letter of the same date, address wanting, perhaps to Sir Robert Colville, with the same information.]

166. Sir Charles Porter and Thomas Coningsby to the Earl of Crawford. Dublin Castle, 4 July 1691. They will observe the plan proposed for correspondence. They are glad to hear that Scotland continues so quiet. "A considerable progresse is already made . . .

by the reduceing of Athlone, which was taken by storme on Tuesday last. The partys detacht for the attaque were 800 Granadeers, 500 dragoones, and 1,800 firelocks. They waded through the river, and in an howers tyme drove the enimy out of their intrenchments and putt all to the sword that they mett. The Irish Army were very neere but had not the courage to attaque ours though greater. There were found dead in the towne about 1000. Our losse is inconsiderable not above 50 killed and wounded, according to the account sent by the Secretary at Warr. It is reconed to be as brave an action as has beene in any age. Wee have good reason to beleive that the French have not landed any armes, amunition, &c., in the Island of Sky, and wee hope the information your lordships may have had thereof may be a mistake for that there are some of their Majesties men of warr cruiseing on those coasts from whome wee have noe account that they have seene or been informed of any shipps thereabout," &c.

167. DRAFT LETTER. The Earl of Crawford, in reply to the above. Edinburgh, 11 July 1691. He is glad to learn the king's success in Ireland, and trusts it may advance till the peace and happiness of the three kingdoms is secured and Christendom relieved. "This kingdom is at present quiet and peaceable, and our Highlanders, the only party amongst us liklie to make any disturbance, are in a good way to make submission, their leaders and chiftains having lately engadged for their quiet and good behaviour for thrie moneths to come, which will putt over the time of action, and may be introductive of a good setlement in these parts. The reports of the French having landed in the Isle of Sky are in a manner evanished, there being no furder account of any thing of that nature from that corner," &c.

168. LETTER. The Earl of Wigton to the Earl of Crawford. St. Germains, 7 September 1691. "My Lord, I receaved your lordships letter dated from Edinburgh, the 25 of July, desiring me, if I had any regard for my Lord Chancellors [the Earl of Perth] health, who had been very valitudinary, that I should make all haste home that possibly I could, and upon that account you had sent hither some fiftie pounds, but upon such conditions as that I should not receive them till I was just upon my departure; by which making conditions with me before you will lett me have my own money, I think is a little hard; but seeing I have not learned as yett my exercises, I doe not think my return would be altogether so propre at this time; and how should I learn them, since not so much as any one of my relations takes care whither I and my brother have had bread to put unto our mouths, much less to learn our exercises: and therfor I hope your lordship will be pleased to represent to my relations my condition, that they will be pleased to consider it and send me moneys to the value of three hundred pounds a year to maintain me and my brother, which is the least you can doe till we learn our exercises heir, which will be the shortest way to get us home, seeing that if we should starve we wil not come home till once we have learned our exercises: therefor, I hope you will be pleased to deal as favourably to my Lord Chancellor as lies in your pouer. For as that you say that my Lord Chancellor [Perth] shall be sett at libertie upon my coming home, if my Lord was your prisoner of war, and I a prisoner the same way, it might be reasonable, but to exchange me who is no prisoner for another man who is in prison, as I belive for reasons unknown to you all, you may as weell exchange any body that you have their for any that is here, because you are pleased

to say you will put them in prison if such a man does not come home. Soe, my Lord, with my duty," &c. (Signed) "Wigtoune."

[With this letter is a paper, undated, and perhaps written at the same time as No. 153 supra, but which may be noted here. It is a petition to the King in name of the Earl of Crawford, and apparently in the hand writing of Sir James Stewart, Lord Advocate. After a preamble, the Earl states, "My wife hath two sones, the Earle of Wigtoun and his brother, who falling unhapiely under the guardianship of the Earle of Perth, while chancellour of this kingdom, he sent them to Paris to be educat or rather poysoned in the Popish religion, nor is D[uke] Hamilton less concerned to recover the Earle of Perths own sone the Ducks nephew, who being but a youth and at Paris when King James was there was caried by him to Ireland. And after all other meanes vainly essayed the only remedie that nou appeares is a proposal made in parliament that upon assurance given by the parliament, that the Earle of Perth procuring the Earle of Wigtoun and his brother with his own sone the Lord Drummond to be sent back to Scotland betuixt and a certain day, he himself shall have both libertie and indemnity for life and fortune upon surety allwayes to be given by him that he shall act nothing against your Majesties government." The parliament inclined to the proposal, but can do nothing without the Kings assent, for which the Earl earnestly petitions.]

169. Lieutenant Colonel James Hamilton to the Earl of Crawford. Fort William, 10 September 1691. ". . . Since I came heare I have used my utmost dilligence and duety in assisting Colonel Hill in what I thinke may capassetat us for the service, for by what prospect I can make into the Highlanders measures and inclinations, they are as backward in submitting to the Government as ever, and such of them as I have yeit discourced, publickly declares soe, as I have more particularly writt Sir Thomas Livingston, whoe, I doubt not will shew it your lordship. They are most insolent and saucy and bosts of theire intelligence from the Privy Councell of what passes with yow. My lord, I shall onely add that I hope this regiment will be tymely in a condition to doe what may be expected from the Government in case these villanes continue theire tricks and shalbe redy to put in execution such comands as shall com for reduceing soe far as possible such to better maners, wherein my lord, I shall thinke myself happy to receave comand by the aprobation of this worthy gentleman, my Colonel," &c. (Signed) "Ja. Hamilton."

170. Colonel Hill to the Earl of Crawford. Fort William, 14 September 1691. He thankfully acknowledges the Earl's favours to himself and the garrison. "For that paper aboute Breadalbin, I have an author for it who gave it me and I beleeve had it from some of themselves as having once been their way. I have given my Major account of it, who will further sattisfie your lordship in itt; but for such proofes as some may be willing to push upon me, it would be hard, for they are upon their guard in that poynt, and as some of them (who were prisoners and in their returne paid a visitt here) said they had an account of all my letters and papers that were read in the Councell, your lordship may be sure they are upon their guard in this poynt, and that none of them will evidence in it being against their own advantage; which I foresaw, yet durst not conceal the paper lest I might have rendred my self criminall. There is nothing there but what hath been reported through the countrey by severalls, and my author, I beleeve, had it from themselfes, but I was under promise to keep him secret,

hee having some further thing to doe, but I beleeve some Lords that are freinds may prevail with him to make it out. . . . Lord Kintore had a paper to the same effect for they have told it aboute to magnifie their mannage in makeing such honourable termes, and that wee were faine to propose to them, but now 'tis not to be thought they will justifie to their owne prejudice any coppie of that paper, soe that such evidence as may be pressed is not to be expected, the matter being a secret done in the darke, but I am soe far justifieable that I have an author for itt. My Lord, I blesse God I have noe byendes in any thing I have done, but in faithfullnes to my trust have used the best methods I could for advancement of their Majesties service and can easily evince to any rationall unbyassed men that I could have done nothinge better, but it is alleadged that I have seemed oppos[i]te to these dishonourable proceedings for fear of my imployment for soe much is intimate by that Lord[1] in a lettre to Locheil, as alsoe others of his freinds have hinted the same, but I assure your lordship it is nothinge soe. For if his Majestie cann beleeve that any other can serve him better in the place I shall readily demitt, for noe rationall man can beleeve I am fond of this banishment, or of the extraordinary fatigue I have vndergon since I came here, to the great hassard of my life, and to live here still in the fire of contention with soe many masters and teachers. I came not to serve my selfe by expecting to gaine any thing by pinching and unjust methods, but only the bare pay and salary my Master allowes me; but I will allwayes be a faithfull subject and servant to the King in any station either millitary or civill his Majestie shall thinke fitt to intrust me with. And tho I may say with the poet, "*Hos ego versiculos feci, tulit alter honores*, yet I am not at all concerned. Let others get all the honour they can. Let me but live in such fauour with my Master as he thinkes fitt to vouchsafe me. I shall therein rest fully sattisfied, tho I confes it would much please me to see the Kings affaires, the true religeon and the publique good to prosper," &c. (Signed) "Jo. Hill."

171. Lieutenant Colonel Hamilton to the Earl of Crawford. Fort William, 16th October 1691. ". . . I hope this will meet with your lordship safe at Court. Heare hath little occured since my last; the heads of clanes met with Buchan and that party at Glengary last weeke, but by all I can learne came to noe result, what they should doe in imbrace[ing] theire Majesties offer of Indempnity, but rather devided among themselves, Buchan endeavouring all he could to raise mischeif and poyson afress all whome he aprehended had any inclination to it. My Lord Brodalbin is now in the country; what impression his perswasions may have on the affaire is not yet knowne. I pray God all may prove well and to the honour and safety of theire Majesties interest. My Lord, I doubt not this garison and regiment may have som enemyes and therby perhaps misrepresented at Court. I can assure your lordship I doe not, nor have not knowne a regiment better composed of discreet sober men, and ame satisfied are intirely zealous to the service. I can not propose that thing to them, thoe to theire considerable expence, but what they condesend to for the better fitting and apointing the regiment. Cloaths are now upon the matter redy, and all maner of accuterments, soe that let what will be said of them I shall never desire the Kings pay nor be trusted in his service if any in this kingdom exceed them in any point to which my willing thoe weake industery shall never faile to be [a]plyed, and humbly craue your

[1] Probably Lord Breadalbane is meant.

lordshrips fauour and justice to us, as knowing your lordship aboue all byes but what tends truely to theire Majesties interest," &c. (Signed) "JA. HAMILTON."

172. COPY LETTER from Colonel Hill [address not given, but probably written to the Earl of Breadalbane]. Fort William, 17th October 1691. "My Lord, . . . I doe assure your lordship I did nothing upon soe weake suggestion (as you are pleased to alleadge) as the apprehention of myne or the garrisons removeall." Here he repeats his willingness to leave if necessary, and some other sentences already cited in No. 170 supra. . . . Any thing that I have done cannot be justly charged to me on soe mean an accompt. But (my Lord) my dissatisfaction proceeded from a quite other cause. 'Tis true I was satisfied with your lordships proceedings when you were last here, till afterwards I found upon what low condiscentions and mean proposalls the proceedings were bottom'd, which I judged (att that time) too disshonourable to the king, my master, and too advantageous to those gentlemen of the Highlands and theire cause; and it hath often mett me, that it was our cessation proposed to and pressed upon them, and that they did nothing but what was honourable in accepting such offers of advantage to themselves and King James his affairs, which some of them have said to my selfe before many witnesses; and this (my lord) gave me concernment; and where the King my masters interest and honour is concerned, it is and allwayes shall be, with me, paramount to all the interest and obligations in the world. And as for that paper which went to the Councell, itt was not so much to prejudice or injure your lordship, as to render my selfe faithfull and secure from the hassard which the concealment of such a paper might have brought me under, nor was I then sure that the partie which brought it me might not have some such ensnaringe designe in it; and besides this the same partie sent another of the same to a Lord off the Councell who owned he received itt; and moreover when itt was read in Councell another Lord att that board pulled out another paper of the same import, who asserted that itt had been sent by Major-Generall Buchan to a nephew off his as a true double of that transaction. My Lord, when I can exoner my selfe of the obligation to secresy that lyes upon me, your lordship may know more of the matter; but the countrey was full of this before I got that paper, and I heard it from severall, but took litle notice off vulgar reports, till that paper came, which was made use of for the reasons afforsaid. Nor, my Lord, will itt be found just to say (as your lordship would alleadge) that I (by these methods) obstruct the peace of the kingdome; for who laid the first stone in the foundation for peace and settlement upon which your lordship hath built the superstructure; and (ever since I knew it was the kings pleasure) I have used all arguments and perswasions to those gentlemen to setle with your lordship (which many of them cannot deney), and I beleeve that some of them may doe soe, and not the lesse by the advice I have given them, soe that upon the wholl it will appear itt was not the thing to be done, but the modus agendi that I have been concerned for; and I hope to give your lordship the satisfaction you desire of seeing me to justifie my selfe in these affairs, and that in order to my trust and faithfullnesse therein, I could have done no otherwise," &c.

173. LETTER from Colonel Hill [address wanting]. Fort William, 19th October 1691. He sends a copy of Lord Breadalbane's letter, with his own reply [as above], and he intends also to send the same to Lord Crawford and Lord Polwarth. "But I stay for more perfect

intelligence of the Lairds resolucions here, who, I am told, will not agree with Breadal[bin] (their eyes being opened), that he intends to raise and aggrandise himselfe by inslaueing them as if he had all their heads under his girdle and could comande them all at pleasure, which their pride and a letter from Struan Robinson, that ten thousand horse and foote are shipped from France for Scotland, will not permit them to indure. I know if Breadalbin succeed not, hee will alleadge (as he sayes in his letter) that I have obstructed the peace, but view my answer to him." He does not wish to be called south, "which will be both dishonourable to me and perhaps more troublesome then my present circumstances, or the season, as alsoe the kings affaires will well beare, for I must watch them here as well as other freinds must doe there," etc. Signed "Jo. Hill." In a P.S. he says "I have seen one of the souldiers caps and one coate. Its soe far from the patterne and soe ill done, that if all the rest be alike I must cast the bargane and sue for better performance, for 'tis base all over," &c.

174. COLONEL JOHN HILL to the EARL OF CRAWFORD. Fortwilliam, 29th October 1691. Sending copies of Breadalbane's letter and his own reply. "Alsoe, iff it come to the test, I have a paper all written with Glengaryes owne hand, of the same import with that I sent to the Councell in all the five perticulers, and there is a gentleman that will shortly be att London that hath another signed by Major Generall Cannon and Glengary sayes he will swear to it if need be. The last meeting of these Highland gentlemen produced a resolution not to settle with my Lord Breadalbin on any accompt, and whether this resolution proceeded from my Lord Atholls mannage with these of Glengary, or from the French kings declaration, not to sheathe his sword till he have settled the late King James, and the newes they lately hade of a considerable force shipped from Dunkirke under the Dukes Berwick and Gordon for this countrey, or else from a double peike they have at my Lord Breadalbin, first that he represented them as in the kings proclamation, willing to submitt and beg pardon, which they say hee hade noe authority from them for, or 2dly because (some off them say) they will not give him the advantage off sayeing hee could guide and lead the Highland Clans as he pleased, being as they say, saving his title no better man then some of themselves, I say I know not upon which off these accompts they have taken this resolution. I did beleeve that Locheil and Keppach would have complyed with my Lord Breadalbin, being frequently advised thereto by myself, as alsoe that once they seemed soe inclyned, and yett I beleeve they will doe it, on the same tearms proposed by him, if the same power were given by the king to some other (not of the Highlands), or to the Councell or both. Butt still my information is the worke hade been done ere this if these condescentions had not raised them, but that Sir Thomas Livingston hade marched up to Badenoch; butt I doubt not it will yett doe with the same allowances, but not, I perceive, by the same hand. I am apt to beleeve my Lord Breadalbin may say, because hee has mett with a dissappoyntment, that I have obstructed him but that is nothing soe, for all the countrey knowes I have all along advised the Highlanders to settle with him. They have now another meeting and when I know the result of that I will give your lordship an accompt of it," &c. Signed by the Colonel, though the letter itself is not in his handwriting.

175. [From a private letter of the Earl's written about the end of 1693, and of no importance otherwise, we learn that he was in retire-

and was absolutlie unfitted for travelling in anie fashion; yea, when I realie pairted from Scotland I was in no little doubt whither I might have dyed by the way or not. . . . Before I presumed to addresse your Highnesse in anie matter, I signed that paper of dutie and respect to your person and interrest that seems to be necessairie for this extraordinarie conjuncture; which, being the first publick one that ever had my name to it, I hope will have a favourable construction putt on it as a tye that in the Lords strength I designe not to shake off; for as I suffered raither then dipp in anie former oaths, I trust after this engadgement not to make enquirie. I presume there are manie of the Presbiterian perswasion in Scotland at Eli's pairt of it, in reference to this application to your Highnesse, wishing that the God of Israel may influence your heart, unto the granting of my petition. For the others may have manie requists, I have but one to make to yow, that if I have found favour in your sight yow wold send me unto the citie of my fathers sepulchers, that I may build it. It wold be my joy and my crown, if I could fix but one naile in a sure place for restoreing the Presbiterian interest; for as it hes bene the way of my familie for severall generations, so it is my own rooted perswasion for which, thorrow grace, I have bene helped to suffer and ame under purposes that nothing but death shall seperat me from it. I crave libertie to recommend them of that way to your Highnes as the major part, the more sober and religious men of the nation I live in; as your steddiest frinds and those who are fondest of your present rule and prosperity, whereas the adverse pairtie whither clergy or others are under such sorrow for your successe that they cannot disguise it." The Earl continues in the same strain, pressing the claims of Presbyterianism, objecting to a proposed middle way between that and Episcopacy, and praying for a blessing upon the King and his government. No date [apparently in beginning of 1689].

181. Copy Petition to the King by several Episcopal ministers in Scotland. [No date, close of 1689.] setting forth that the petitioners, Henry Walker, Walter Macgill, Thomas Moubray and William Selkrig were driven from their churches by armed rabbles, although they had obeyed by reading the proclamation of 13 April 1689, and are still deprived of the exercise of the ministry, while Presbyterian ministers have possessed themselves of their churches. (2) That the petitioners Bernard M'Kenzie, Robert Lockhart, William Bowes, Andrew Meldrum, James Scott, and Alexander Burgess were turned out of their benefices to make way for Presbyterian ministers, their predecessors, who had been outed since 1662, although they had given obedience to the Government; also they were denied admission to other parishes to which they had since been elected. (3) That the petitioners, Thomas Strachan, William Methven, George Macgruther and Alexander Fowlis were deprived for not reading the said proclamation, although they pleaded they had not received it in time. They state also that many Episcopal ministers are in the same position, and they crave justice. [There is also a printed broadside containing the proclamation referred to.]

182. Copy Order by the Committee of Estates, who having called before them Dr. Richard Weddell, Archdean of St. Andrews, and Mr. John Wood, minister there, for not obeying the above proclamation, which they acknowledged, find that the accused have incurred the penalty, therefore deprive them of their benefices and declare their kirks vacant. Edinburgh, 11 May 1689.

favours of the ministry. He has delayed making examples of some of the Episcopal clergy, but that will come. In a word, my Lord, the ministers and others have acted like verie judicious men, and either their behaviour will have a good effect or nothing will have it. This I am sure of, that had they acted as their enemies hoped they would doe, all had gone to ruine. As to the civill government, the King was upon the point of going when the news of D[uke] H[amilto]ns death, and of the Assembly being up came, and it is not his way to doe any thing suddainly. Changes will come and I hope good, but whither from Flanders, or, which is more probable, not till winter, I cannot tel. This I can assure you of, the King knows sufficiently some men," &c. (Signed) "J. JOHNSTOUN."

178. LETTER. The Duke of Gordon to the Earl of Crawford, Edinburgh Castle, 23 February 1694. "My Lord,—Confydding in the honnor of your lordshipps frindshipp, I most intreat that your lordship would dooe mee the fauor to reflect a littel of the ingagment you put uppon mee when yow ordered my beeing sett att liberty four years agon, and my going to London to veatt off King William. So farr as I remember I promised to veatt off him whow sooen possibley I culd, and untill I had that honor that I shuld dooe nothing against the gowernment. I hopp that your lordship will excus my gewing yow this trubel, sinc I am, my lord," &c. (Signed) "GORDON."

179. LETTER. John [ninteenth] Earl of Crawford to [address wanting, but perhaps the Earl of Annandale]. London, 12 March, 1698. "My Lord,—If itt haid not ben for the su[r]pryzeing neues of my fathers death, I haid taken post from this the begining of the nixt week, but I know no better then I may be obl[i]dged to stay a week longer; for this day my Lord Arran told me that he and my friends hear would think on sume thing to be doone for me; but I am fulie resollved to be home as soone as posable, wher I shall depend on your advice, and I am, my lord, your dutiful nevoy and servant, CRAFURD."

[The Earl's father died on 6th March 1698.]

SECTION II.—PAPERS OF A MISCELLANEOUS CHARACTER, 1689–1691.

180. DRAFT ADDRESS to the King [or Prince of Orange] of uncertain date, in the handwriting of the Earl of Crawford. It begins: "Sir,—A bashfull temper and deep conviction of my unfitnesse to manadge this conference to anie tollerable advantadge with a person of so great discerneing as your Highnesse, wold have put me to a stand about it, if not intirely diverted me from such ane attempt, if I had not considered who made mans mouth, and on this occasion hath prompted me to goe, and encouradged me to hope that he will be with my mouth and teach me what I shall say," &c. . . . "I have some times thought, when in a better frame then at present, that to have your Highnesse stated under such favourable circumstances and cloath'd with the power yow now have, I could have said as Jacob did when he saw Joseph whom he thought had bene dead, that it was enouch, and bene willing to goe of the stage of this world upon such a happie revolution as hath lately emerged. It may appear verrie strange to your Highnesse that I have bene so long in comeing to this place. I shall be ingenuous in the reason of it. I took so heaviely your being driven back to Holland, after your first setting out, and was under such conserne upon your second endeavour to land in these nations, that I became much indisposed

and was absolutlie unfitted for travelling in anie fashion; yea, when I realie pairted from Scotland I was in no little doubt whither I might have dyed by the way or not. . . . Before I presumed to addresse your Highnesse in anie matter, I signed that paper of dutie and respect to your person and interrest that seems to be necessairie for this extraordinarie conjuncture; which, being the first publick one that ever had my name to it, I hope will have a favourable construction putt on it as a tye that in the Lords strength I designe not to shake off; for as I suffered raither then dipp in anie former oaths, I trust after this engadgement not to make enquirie. I presume there are manie of the Presbiterian perswasion in Scotland at Eli's pairt of it, in reference to this application to your Highnesse, wishing that the God of Israel may influence your heart, unto the granting of my petition. For the others may have manie requists, I have but one to make to yow, that if I have found favour in your sight yow wold send me unto the citie of my fathers sepulchers, that I may build it. It wold be my joy and my crown, if I could fix but one naile in a sure place for restoreing the Presbiterian interest; for as it hes bene the way of my familie for severall generations, so it is my own rooted perswasion for which, thorrow grace, I have bene helped to suffer and ame under purposes that nothing but death shall seperat me from it. I crave libertie to recommend them of that way to your Highnes as the major part, the more sober and religious men of the nation I live in; as your steddiest frinds and those who are fondest of your present rule and prosperity, whereas the adverse pairtie whither clergy or others are under such sorrow for your successe that they cannot disguise it." The Earl continues in the same strain, pressing the claims of Presbyterianism, objecting to a proposed middle way between that and Episcopacy, and praying for a blessing upon the King and his government. No date [apparently in beginning of 1689].

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183. PRINTED BROADSIDE containing a proclamation for citing ministers who have not prayed for their Majesties. Edinburgh, 22 August 1689.

184. DRAFT LETTER, apparently from the Earl of Crawford, about January 1690. "Sir,—Now that the Christmass vaccance is in a manner over, I will expect that list of fruits which that oblidging and judicious nobleman designed such exactness in, as an evidence of his skill, and to gratifie my curiosity. Grafts of the several kinds may now be transmitted either by the black box or our countreymen that are comeing down by land as you find opportunity. I think you may try both wayes, for it will take a long time by the black box to convey all the several kinds here and in such quantities as I expect. I trust that if the persons who favour me with their grafts be not at trouble to see them cutt themselves, yet they will be peremptor in their orders to their cheefe gairdners that great exactness be observed in marking every kind and keeping them so distinct that there be not the least danger of mixing or giving improper names, either of which would be a great disappoyntment to me, for by that incircumspection, I might employ on my best walls such kinds as would prosper as well in standards, and might place in the standard such other sorts as would only ripen their fruits with me on south walls. I know you will take such care as I may be humoured in true names as well as have no grafts of fruits sent me but what are very choice, for a mistake there were not recoverable in many years, would deface my walls and marr the uniformity I design amongst my standards," &c.

185. FROM the SAME, on the same subject. Draft. Edinburgh, 28 January 1690. "Sir,—I had yours of the 21 instant, and am very sensible of the trouble you are at for gratifieing my curiosity in those lists of fruits and collection of grafts. I thankfully acknowledge the condescension of the Earl of of Clarendon and Sir Robert Clayton in so readily humouring me in this matter. I commonly graft to best advantage in the end of February, before budds are too bold, and especialy when my cuttings are taken from wall trees, as generaly all the winter fruits are, so that you cannot, after the recept of this, begin too early to transmitt them hither. Where they can be had, I favour such grafts as have wood of two seasons, tho' I know they will do well of one years growth and where trees are nicely keept they hardly afford any other. If grafts are not too slender I know they will preserve well for a month, so I am more inclynable to have a considerable proportion of each kind transmitted to me, either by such of my countreymen as come down in coach, or by the first ships that are bound for Scotland, than to have a small parcell conveyed to me by the black box; yet for any special kind that is highly valued above others, I would plead for a meaner quantity of such even in the black box. Whatever cuttings are designed for me would be exactly distinguished from one another, that they do not mix, and have likewise their particular names affixed to them that I put not a late fruite in a standard where it would not attain to ripenesse, nor imploy my walls on harvest fruits which may do as well or better in the standard. All would be carefully packt up that budds be not broken out, nor cuttings receave bruises by the carriage. When ever you make dispatches to me either by sea or land, give warning of the persons name to whom my bundells are delyvered, that I may know when and where to inquire after them. I observe that the same fruite in different places have distinct names, and so I

cannot be assured that I have such a fruit, tho I have one under that name. Besides, what collection I have, of English or French fruits, is but lately made and haveing had no trial of them as yet, have no better authority for their being true than the word of the gairdners from whom I bought them, which very often cannot be relyed on; so before I want any choise kind, I had rather not build upon any collection I have allready, and restrict myself to 12 kinds of the best pears, as many of the fynest apples, 6 sorts of the choisest plumes, and the like number of the most desireable cherries. However, I can reckon upon the inclosed kinds, as you need not to transmitt of them which are none of the number I call for. I have prepared choise stocks for a good quantity of pears, apples, plumes and cherries, and would gladly have them all employed. I have severall grounds yet unplanted. I know you will be carefull in manageing all these instructions," &c.

186. DRAFT LETTER, apparently to Lord Melville, dated atEdinburgh, 8th February 1690. "The posture of affairs here and murmurings of the people every where makes our session of parliament necessary in a very short time, and if our King would honour us with his presence our work would go more smoothly on, and the issue be more assured upon the favourable side. The nottourietie of this and the danger of new adjournments occasioned my calling of the Council this morning, that it might be beyond dispute found the opinion of the nation, as well as the privat sentiment of," &c. On the same paper is a similar letter, apparently to Mr. Carstairs, pressing for a Parliament. [The paper itself is a letter from Thomas Young inviting Lord Crawford to the funerall of his father, Sir John Young of Leny, on Monday 10th February at 9 a.m. from the Tron Church, Edinburgh, to the Church of Cramond, Edinburgh, 6 February 1690.]

187. ORDER signed by George Earl of Melville, at Edinburgh, 17 May 1690, authorising William Earl of Crawford, Henry Lord Cardross and Sir Patrick Home, of Pollwart "to examine the closs prisoners" in the Tolbooth, of Edinburgh. (Signed) "MELVILL."

188. COPY REPRESENTATION by the General Meeting of the Ministers and Elders of the Church to the Lord High Commissioner and Lords of Privy Council. [No date but *circa* July 1690] in regard to certain difficulties in the execution of the late Act for settling Presbyterian Government. (1) That a certificate under the hands of the moderator and clerk of their respective Presbyteries that they have exercised ministerial functions, shall enable Presbyterian ministers to draw their stipends from parishes whence conforming ministers have been removed or deserted. (2) That in parishes where the old ministers have been reponed, while the conform ministers still reside there, the latter shall not be considered an incumbent, nor have any right to the stipend. (3) That as the stipends of churches from which the ministers have deserted or been removed before 13 April 1689, are declared vacant for that year, yet the Presbyterian minister entering, may on a certificate, be allowed the previous terms stipend. (4) Providing that ministers from Ireland, not in fixed charges, but who have served vacant churches by appointment may be allowed to have the vacant stipends of the parishes. (5) A similar arrangement for paying Presbyterian ministers serving vacant churches. (6) That warrants be granted for summary charges as may be necessary. [There is also a copy of an Act of the Privy Council, Edinburgh, 12 July 1690, giving effect to the above representations, and concluding with an order to "patrones, heritors,

and magistrats of burrowes, who are patrons of vacand churches, to make patent the doors of the saids churches when any ministers are sent by the presbytrie to preach in them," and to that end ordering the keys of the vacant churches to be delivered to the presbyteries.]

189. PRINTED BROADSIDE, containing a Proclamation ordaining all persons in public trust to sign the certificate and assurance. Edinburgh, 4 August 1690.

190. COPY ACT OF PARLIAMENT, 27 June 1690, appointing a Committee of noblemen, gentlemen, and ministers to visit the Universities of the kingdom, try the qualifications of the professors and others, and remove those who are unfit, or who will not submit to the government of the church now settled by law. [This is the first of a long series of papers narrating the proceedings of the Commission, which are given more or less fully in the following numbers, 224 to 247.]

191. COPY OF INSTRUCTIONS given by the Commissioners to their various Committees. Edinburgh, 25 July 1690. The instructions are very minute, but may be summarised. (1) They are to examine the masters, professors, &c. as to doctrine. 2. As to their behaviour in life and conversation. 3. "To try if any of the masters be negligent, and to enquire how many conveniendums they keep in the day, and what time they meet, and how long they continue these meetings, and how these masters attends and keeps them, and what disciplin they exerce upon the schollars for their immoralities and non attendance. And particularly to enquire at the masters anent the office of hepdomodars, and how faithfully that is exercised, and how oft they examine their schollars on their dictats, and to take trial what paines they take to instruct their schollars in the principles of Christianity, and what books they teach thereanent for the subject of their sacred lessons, and what care they take of their schollars keeping the kirk and examining them thereafter." 4. As to the masters' sufficiency. 5. As to their conduct since the Revolution and their dispositions towards the Government. 6. To see how the laws of the Universities are observed, their revenues managed, especially as to buying books. 7. To try the professors of divinity as to their theology, &c. 8. To require subscription of the Confession of Faith, oath of allegiance, &c.

192. PAPER containing nine queries as to certain technicalities affecting the proceedings and meetings of the Commission, submitted to Sir James Stewart, advocate, and answered by him in his own handwriting. [No date.]

193. REPORT by the Commissioners appointed to visit the University and Colleges of St. Andrews and schools within their bounds. At St. Andrews, 29 August 1690. "First, that of the schoolmasters teaching Latine in the landward paroches within the shereffdome of Fyffe, the following persons only appeared and were willing to give satisfaction," &c. In the parish of Largo, Mr. John Heagie; Kinnewcher, Mr. Alexander Houstoun; Ceres, James Fairfoul; Ferry, Mr. John Kidd; Lewchars, Mr. Alexander Cowpar; Weems, Mr. John Moir; Newburn, Mr. Robert Lindsay; Balmerinoch, John Wyllie. Mr. Robert Williamson schoolmaster at Elie also appeared, but refused to sign the oath of allegiance, &c., though willing to submit to the church government. The following, whose names were given in by the sheriff of Fife, were absent. In the parish of Abbotshall, Robert

Lilburn; Collessie, Mr. David Walker; St. Monance, Mr. John Prophit; Kilrenny, Mr. Mungo Graham, &c.

The magistrates of the burghs of Fife (except Cupar) gave in no lists of their schoolmasters, but of these the following appeared and were willing to give satisfaction:—St. Andrews, Mr. Patrick Lindsay; Falkland, Mr. Alexander Lowrie; Kinross, Mr. Arthur Sheepheard. — Dykes, schoolmaster at Dunfermline, absented himself.

The following schoolmasters of the landward parishes of Angus or Forfar were all absent without excuse:—Parish of Drone, Robert Paterson; Farnell, Mr. William Cowell; Strickathrow, David Erskine; Edzell, Mr. Patrick Guthery; Airlie, Mr. Patrick Wilkie; Glamis, Mr. Patrick Ogilvy; Lochlie, John Speed, &c.

Mr. William Bowack, schoolmaster of the burgh of Forfar, appeared, but desired delay in his taking the engagements. The sheriff of Perth furnished no list, but Mr. James Guthery, parish of Alyth, and Mr. James Sibbald, parish of Abernethy, appeared, and were willing to give satisfaction.

The magistrates of Perth named Mr. William Sanders, schoolmaster in Perth, Mr. David Ireland, Mr. John Ramsay, and Mr. Andrew Blair, doctors there, but none of them appeared.

For the stewartry of Menteith were named Mr. James Winget, schoolmaster at Doune, and Andrew Ker at Kippen, but both were absent.

This report is signed CRAFURD P.

194. COPY Report by Committee, Edinburgh, 23 September 1690, that Mr. John Drummond, Regent of Humanity in the College of Edinburgh, will not take the oath of allegiance, nor sign the Confession of Faith. Also copy sentence by the Commission, 25 September 1690, depriving him of his place as regent.

195. COPY Report, 23 September 1690, by the same Committee, as to Doctor Monro, Principal of the College of Edinburgh. *Inter alia* it appears by his answers "That he made ane act of the faculty that such as were Mr. Lidderdale's schollars the preceiding yeare should be taught that yeare in noe other class than Mr. Burnets, who, he confesses, lay under the suspition of being Popish, . . . and he does not alledge that he used meanes to cause Mr. Burnet purge himself of the said suspicion; and further, that he did take down the pictures of the the Protestant Reformers out of the Bibliothek when the Earle of Perth, late Chancellor, came to visite the colledge, without any other pretence or excuse, but that the then Provost of Edinburgh did advise him thereto." He also baptized a child in the West Kirk parish without acquainting the minister thereof; and for these and other offences, the Committee recommend his deprivation, which was duly pronounced against him, on his refusal to sign the oath of allegiance, the assurance, and the Confession of Faith, &c., on 25 September 1690.

196. REPORT by the same Committee, 23 September 1690, recommending that Mr Alexander Cunningham, and Mr Halbert Kennedy, two regents of Philosophy in the College of Edinburgh, should be acquitted of certain charges against them; which was done by the Commission on 25 September.

197. REPORT by the same Committee recommending the deprivation of Dr. John Strachan, professor of Divinity in the College of Edinburgh, accused of preaching reconciliation with Rome, &c.; of refusing to sign

the Confession of Faith as being too complex, &c. Report dated 23 September, and sentence pronounced 25 September 1690.

198. REPORT by the same Committee, 23 September 1690, recommending the removal of M^r^ Thomas Burnet, regent of Philosophy, who had been promoted from Aberdeen to Edinburgh, after publishing certain theses, in 1686, as to the King's dispensing power, &c. Sentence accordingly. 25 September 1690.

199. COPY Sentence, dated at Edinburgh, 24 September 1690, by the Commissioners of Parliament, who, considering the report as to the University of S^t^ Andrews, and the schools teaching Latin in Fife and Kinross, and having called before them D^r^ Alexander Skeen, Rector of the University of S^t^ Andrews and provost of the Old College there, D^r^ James Weems, principal of S^t^ Leonards College; M^r^ Patrick Gordon, third master of the New College; M^r^ James Fenton, professor of Mathematics and dean of the Faculty of Arts; M^r^ Andrew Skeen, regent in the Old College; M^r^ David M^c^Gill, regent in the Old College; Mr. William Comry, regent in S^t^ Leonards College; M^r^ Alexander Ross and M^r^ George Waddell, both regents there; and M^r^ Robert Middleton, professor of Humanity there; and finding them unwilling to sign, or submit to the present church government, hereby deprive them of their offices.

200. THE said Commission, on 25 September 1690, assoilzie Mr. Andrew Massie, regent in the College of Edinburgh, from the charges made against him, as he has signed the oath of allegiance, &c.

201. SENTENCE of deprivation by the same Commission against Dr. James Fall, Principal of the College of Glasgow, who refused to qualify himself as desired. Edinburgh, 26 September 1690.

202. SENTENCE of deprivation against Dr. James Weimes, professor of Divinity in the College of Glasgow, on the same grounds. Edinburgh, 26 September 1690.

203. SENTENCE of deprivation, of same date, against M^r^ William Blair, one of the regents of the College of Glasgow.

204. ACT by the Commissioners of Parliament for visiting universities, schools, &c., declaring that no regent or master shall henceforth be admitted in any university or college, without a public trial of his abilities and fitness, and also of his piety; exempting, however, principals, professors of divinity, and other professors of said universities, &c., who shall not undergo such trial, but be admitted as formerly. Edinburgh, 27 September 1690. [Copy.]

205. COPY ACT of same date, following upon the above Act, appointing certain of the Commissioners to act along with other judges in trying the qualifications of regents in the Universities of St. Andrews and Glasgow.

206. COPY ACT of same date, appointing a committee of their number to prepare acts and overtures for ordering the universities, colleges, and schools in the kingdom, and the professions and manner of teaching therein.

207. COPY ACT of same date, considering that the Committee appointed for visiting the Colleges of Old and New Aberdeen did not

convene or proceed on the day appointed; therefore renewing and adding to the Committee, and appointing them to meet at Aberdeen on 15 October next, and to report by the 1st November.

208. COPY ACT, following on the preceding, forbidding the classes of the Colleges of Old and New Aberdeen to meet until 1st November next. Edinburgh, 27 September 1690.

209. ACT of said Commission, same date, for citing before them "the bibliothecariuses and keepers of the respective liberaries" of the various Universities, &c. for the better understanding of the revenues; summoning the whole "bibliothecariuses" or keepers of the Libraries of the Colleges of St Andrews, Aberdeen, Glasgow, and Edinburgh to appear before the Commission at Edinburgh on 1st November next.

210. COPY SENTENCE of deprivation, 27 September 1690, pronounced upon Mr Alexander Douglas, professor of Hebrew in the College of Edinburgh.

211. COPY SENTENCE, of same date, against Mr James Gregory, regent in the Old College of St Andrews, for not appearing before the Commission when cited to do so.

212. COPY SIMILAR SENTENCE, of same date, against Mr John Menzies, regent in the Old College of St. Andrews, also for non-compearance.

213. COPY SIMILAR SENTENCE, in all respects, against Mr William Mullikins, professor of humanity in the old College of St Andrews.

214. PAPER [copy or draft] entitled "Some short answers to the Instructions given by the Commissioners appointed for visiteng the Universities, &c. . . . anent the present state of the Marishall Colledge of New Aberdeen." "1. Imprimis, as to the first query, If any of the masters be erroneous &c.,—They teach for the most part Cartes his Philosophy, which is known by them that understand it rightly, to lead to many Popish principles, and particularly they maintain free will (which is an Arminian principle), and the way they endeavour to prove it is by the light of nature and of conscience, and the many wayes God uses towards men in Scripture, such as exhortations, commands and prohibitions, which same argument Arminians adduce. 2dly. As to the 2d viz., If any of the masters be scandalous. They ordinarly frequent taverns, and some of them say they will own it; and in privat conferrence their ordinary word is "faith and conscience;" and tho there were no more, it's scandal enough their takeing blasphemous and contradictory oathes such as the Test, and their owning it. And another scandal is, when Popery was at its height, Mr. Litster did not cause the students which were graduat swear to the Protestant religion, although it be the law and custom of the Colledge. 3dly. As to the thrid, If any of the masters be negligent, &c. The Principall some tymes will not visit the privat schools 6 times in a year, and not only is it some tymes so, but it's his ordinary custom: The professor of mathematicks is almost alse negligent, for all that he dictats the whole year may be contained in three sheets of paper and less. The regents have three conveniendums in the day, from 8 to 9 in the morning, except on preaching dayes from 11 to 12 in the forenoon, and from 5 to 6 at night. This is for the first 3 classes, the fourth class keeps but two, but for the most part a quarter of each of these houres will be past err they come in, and then the houre is shortned as the masters or schoolars please, so that sometimes they will not be halfe

an houre in the schools at once. There is [no] discipline exerced for immoralities and non attendance, except some times they are caused pay 3 turners for an houres absence, or then a slight whip on the hand, at quhich they will laugh, but even that is but seldome; and theft, whoredome, curseing, lying, Sabbath breaking, &c., can be proven to have past without punishment. The hepdomodars have a fashion of praying morning and evening in the publick schoole. It's only a sett forme they use for the most part, and the absents from the prayers are not punished, tho sometimes there will not be 6 present. The hepdomodare ordinarly does not take care to see that such as lye in the Colledge (for it's but few that lye in it, tho all should) be in their chambers at bed time, neither does he raise them in the morning ordinarily, tho this be his duty. They have a forme of a sacred lesson on Saturdays morning, but it's but seldom that either masters or schollars attends, and when they do attend, instead of explaining the lesson and makeing the schollars give an account of it, they only cause them read it ordinarly. The books they teach are, the Confession of Faith for the first year, the Whole Duty of Man for the 2d (which is known to be an Arminian book), Vendeline for the 3d, and Grotius De Veritate Religionis Christianæ, for the 4th. There is little or no care taken whither the schollars keep the kirk or not; sometymes they make a fashion of examining their notes, but no benefite can be gained by their examination, and even that is but seldom; but if any out of conscience withdraw from the publick church, they will nottice such, except they be Papists. 4thly. As to their sufficiency. The two masters are known not to be sufficient, haveing entered by mouey and moyen, without publick examination, but this cannot be known by their dictats for they have none, but only teaches the dictats of others. 5ly. As to their carriage since the late happy Revolution, they have not yet prayed for King William and Queen Mary, but only ambiguously for King and Queen and Queen Dowager. And at the last graduation, Mr. James Moir being preces, he suffered one that was graduat to abuse Presbiterians in his oration. This was even since Presbitry was established, at quhich time the most of them that were graduat had very nonsensicall and bairnly expressions in English at every end of a sentence almost, in their orations (if they deserve that name), the like whereof was never heard in a phylosophie schoole, and some on profane subjects. They have no dictats concerning the constitution of the government by King and parliament, but they have a little treatise concerning Government (as they title it), which may be looked to, where they maintaine that it is unlawfull in any case to resist the supream magistracy, and consequently the resisting the late King James in their sense is unlawfull. 6tly. As to their observeing their lawes, shall be answered particularly upon sight of the said lawes, but generally they are not observed. They exact 30 sh. for chamber-maill from all, tho' few have chambers, and how that is managed is not known, except it may be they sometimes help some faults in the Colledge, or take a glass of wyne with it. They likewise exact 4 lib. for the Liberary, and 12 sh. to the scepter from those that are graduat and yet the Liberary is little encreased these severall years, and it's useless to the schollars. The principall takes up the rent of it, but none hes waited on it to give out books except this last year. 7ly. As for the professor of divinity, the theologues must be tryed, but it's said he puts not an end to any controversie he begins, and all he dictats the whole year might be written in two weeks. 8ly. As to their subscribing the Confession of Faith, &c., they must answer themselves; but some of

them say to whom they please, that they will become all things to all men. Persons that can witnes, are James Gordon, sone to Thomas Gordon, uncle to Lesmore, David Brodies sone, Mr. James Brodie, brother to Lethen, Robert Burnet, student in New Aberdeen, David Ramsay. Thomas Gorden and Thomas Forrest will informe of others."

215. LETTER. Colonel Hill to the Earl of Crawford. Fort William, 15 December 1690. . . . "My Lord, I hope I have prittie well overcome my difficultyes, only that of want of bread, but the wind is now come a little aboute to bring the ships out of Clyde by which I have hopes of releife. That 1000 bolls of meal your lordship mentions will doe very well at present, but a store must be kept up for fear of the passage being blocked by an enemy (which is expected by the rebells either here or some where else in this kingdome), or stormes or crosse windes may hinder. The fear of want as well as the badnes of the people, occasioned me with the Major Generalls allowance to dismisse the remaines of Balnagownes company, being not above 20, the rest beinge all run away, but as things now stand, I am well enough without them. Since I began to write, I am put in hopes of a generall complyance, which, after a meeteing, I expect and pray, that in case it prove soe, and any of the officers that were of late King James and his partie should desire to goe of the countrey, that I may know the Councells pleasure what I may doe if they desire passes, for I beleeve it will come to that. My Lord, I am (as I beleeve all the commanding officers of the army if it were well regarded) at a losse for want of an authentique power to hold court martialls upon millitary criminalis, for wee have noe articles of war to proceed upon but the Dutch articles and an order of Councell only for reprinting them, that may justifie any man; and besides they are, some of them, proportioned to a commonwealth, and relating in severall articles to the States Generall and noe wayes suited to a King and Queen, which I humbly pray may be considered and rectified. They had in this kingdome very good articles of warr of their owne, and however can make as good as these and more proportionable, and why the articles of another Government should be set up here I humbly submit the reason of it to the consideration of the Government. What I write of complyance of the Highlanders is not communicable to the whole councell for (if what they say be true) some will take occasion to disswade them. One of the Highland gentlemen hath been with me and assured me of all his service, if hee may be but put into a way to live," &c. (Signed) "Jo. Hill."

216. PAPER [no date] entitled "Information against Mr. Thomas Crightoun, chamberland to the Earle of Pearth, and Preist Innes, who were both taken in Mr. Crightouns house in Cult-balloch, 7 June 1689, now prisoners within the tolbuith of Edinburgh."

1°. Imprimis as to Master Innes, the Preist, it is credibly informed that he came from France within these six weeks or thereby, and came to Stirling about the first of June to the Countes of Perths lodging there, where he stayed tuo or three dayes, and thence went to Stobhall, where its offered to be proven he baptised ane child, and having stayed there ane day or tuo he came to Cultballoch, where he cristned ane child to the said Master Crightoun, some few hours befoir he was taken. And being interrogat by those who had apprehended him what he was, or what he did there, his answer was, He was the Countes of Pearths chamberland in the north, and being afterwards desyred to declare upon oath if he had ever administrat the sacrament since King William came to the throan, he refuised to declare; and he being asked to

declare his name, he called himselfe Walter Robertsone. He acknowledged he had come latly from France, and he was traffequing these three years agoe betuixt France and Scotland, and went over to France with my Lord Drumond as guid to him and as Popish governour. 2do. As to Master Crightoun, he being the Earle of Perths chamberland, when the Earle renounced the true Protestant reformed religion and became a Papist, the said Crightoun being then a Protestant immediatly theirafter declared himselfe a Papist also. And the said Earle having shortly theirafter erected ane cheppell for the Popish service and idolatry, it hath been allwayes since the constant practise of the said Master Crighton to threaten all the Earles tennents to come to their new erected cheppell to mass or " [part of paper torn away]. 3do. About the latter end of March last, the country being in peace and quiet, the said Master Crightoun did send one Gregor M^{c}Gregor, one of the Earle of Pearth's tennents in Corochrombie, with a letter to Collonel M^{c}Donald of Keppoch, earnestly soliciting him to come with his theeves and murderers, his complices, to Straithiron, not only desyring him to steall, plunder, opress, and abuse all who were weell affected to the present goverment, but also to lett the gentlemen of that country know that there was ane pairtie in Scotland who were ready to joine with them with the late King James. Lykeas it is notour and manifestly knowen, as it is acknowledged by some under their hands, that the said Master Crightoun and others had been privie, active, and forward in stirring and raising up the Highland clans to joyne with the Viscount of Dundee; and he hath made it his constant work to traffeque and correspond with the said Viscount and clans in rebellion with them, as hath appeared and may farder apear by his ministerious [*sic*] leters direct to some; And all this and much more to be added hereto is offered positive to be proven against the said Preist Innes and the said Master Crightoun. And furder its offerred to be proven that the said Mr. Crichtoun was at Perth the tyme that the Viscount of Dundee come there and was very active in guyding, informing, or directing quhair Sir Colin Campbells horses and the other gentlemens horses were in toun, that the Viscount and his men seizd on and tooke away," &c.

217. PETITION by the Commission of the Kirk to the Privy Council. March 1691. They had been appointed by the General Assembly of the Church to meet at Aberdeen on 11 March instant, for visiting the kirks within the bounds, whither they went, expecting to be assisted by the magistrates and countenanced by the people. But being disappointed in this, they represent their case to the Council. "Being, therefore, come to Aberdeen . . . upon the day of March, we thought it our part to acqwent the magistrats and demand a convenient place for our meeting, and with all to require them that by vertue of their office they should be carefull to prevent any disorder and to keep and secure the peace of the toun, which they readiely promised; yet thereafter the provost when desired declined to give us the use of any church or session house, the most proper for our meeting, so that we were necessitat to be content with any place that he should appoint; whereupon he named the town councill house within the tolbooth, assuring us that we might sitt there with all security and without any manner of disturbance. Bot tho we were resolved for that time only to have mett and adjurned, yet we had not sitten halfe ane hour when we found the house surrounded with a great confluence of the baser sort of the people, consisting of tradsmen, students of the universitys, and a rable of other persons who were come with hostile armes and

axes, hammers, and other instruments of that kind, and had filled the stairs, and offered by violence to break up the doors, which certainly they had done if we had not fortified within for our own preservation. And in the mean time their cryes and threatnings without were to drag us out of the house and stone us out of the toun, which they accompanied with throwing of stones at the windowes in such a violent and desperat manner as we had great reason to apprehend our lives to haue been in danger, and that we could hardly haue escaped, had not Baillie More and Baillie Robertsone, younger, two of the present baillies, who all along behaved civily toward us, conveened some well affected persons for our help, who with great hazard from stones, whereby severalls were hurt and, amongst others, one Thomas Andersone, a toun officer, mortally wounded, conveyed us out by a back entrie secretly and unseen to our houses."

218. ANOTHER PAPER on the same subject, "Ane Accompt off the Associats that occasioned the rable at Aberdeen, the 11 March 1691." "Principall Paiterson did call severall off the trads upon the Sabath day beffor, betuixt sermons, and promised them money, desiring them when the Presbiteriens cam to toune to with-stand them, and offred them money to drink, with other comerads to assist them to make ane rable, and was wery instrumentall in bringing a number to the church yeard to stop there entrie to the church. Baillie Burnet was on off the greatest ringleaders off all the rest; he went thorow the toune with ane sheit off peaper causing evry person to subscrive it (the nature off it was that ther ministers was good men and they wold not suffer them to be put out) and as he went thorow the toune induced the trads to rise in ane rable, and when the comitie was but going thorow the church yeard he cam to the Cross and cryed, 'Yon men are gone to take our church; com all and let us stop them,' and cam with ane great number to the church yeard; and when the Comitie was in the Councell house he went thorow the streit inciting every person to com to the Councell hous dore and brake it up and raise the meiting, and spok wery many oprobrious words off them. Old Baillie Robertson was ane great actor in causing subscrive the peaper. Andrew Logie, writer, was ane great actor in the rable and induced many others to com to the church yeard with him. Mr. George Lidell went to the Old Toune and caused the Old Toune coligeners [students] to com over heir which was the great ocasion of the rable. Baillie David Aidie was ane great joyner to induce the rable. John Sandillands, provest, who might have suprest the rable was instrumentall in occasioning it, and when there was ane good guard at the dore to keip it, he took som off there guns from them himself, and caused the rable take the rest and beat them avay, and when the baillies had put in tuo off the rable in prison he wold not suffer them to stay, but caused take them out. There is severall others concerned which may apear at greater lenth." [Folded in the form of a letter, sealed with a seal (three castles, two and one); address deleted, probably to Lord Crawford.]

[There is also a paper, a draft by Lord Crawford referring to the above, but only in connection with a dispute between him and Sir William Lockhart, the Solicitor-General, as to the process against the Aberdeen rioters, which the Earl relates at length, but it is not important in itself].

Papers relating to the ecclesiastical disturbance at the Church of Kinross, referred to by Sir William Bruce in his letter to Lord Crawford, No. 159 *supra*.

219. COPY EXTRACT ACT by the Presbytery of Dunfermline, dated at Dunfermline, 11th March 1691. Robert Steidman, younger, of Ballingall, parishioner of the parish of Kinross for himself and the others petitioned, that, as the church door of Kinross had been made patent by Sir William Bruce, and the Moderator of the Presbytery had preached in the church, the Presbytery would take order for securing preaching there. The Presbytery on this, and in terms of a call given to Mr. William Spence by the greatest part of the heritors and all the elders of the parish, he having from time to time officiated in a meeting house there, appoint Mr. Spence to preach at the said church on Sabbath next, and to continue his ministry there till the parish be fully settled. The original extract was signed by James Fraser, moderator, and James Lamb, presbytery clerk.

220. LETTER [copy only] from the above-named Robert Steidman, addressed to "John Blair, writer in Edinburgh." Tilliochy, 19 March 1691. "Sir,—You may [think it] strang that you had not accoumpt from Mr. William Spence or me sooner of ane horid act and tumult that was committed on Sabbath last, as Mr. Spence was going to the church of Kinross to preach." The writer then narrates the proceedings of the presbytery, and that their order was communicated to Sir William Bruce in presence of Lord Colville and Major Guthrie. "Never-the-less Sir Williams officers was ordered to warne the toune to come out to meet Sir William at a pairt on the Kirk gait called Murrayes gate on Sabaths morning, 15 March, wher the persons that I have named and inclosed heir did meet him with swords, guns, pistolls, halbarts, and durks, and long staffs, and other such wapons, the wemen having long staffs and litle ons gathering stones to them, Sir William being on the head of them himself, did come and meet the minister most furiously. And Powmill having drawn his sword, Mr. Spence did go to them saying, 'Wee have no other suords nor wapons but this Bible,' which he did show them having it in his hand. One of our number having the Counsells decreit and presbytries order also in his hand, showed them to Sir William, quhich he wold not look upon. Mr. Spence did requyre instruments in the clarks hands, but Sir William commanded the clerk that he should not have them, so he requyred witneses that Sir William was heiding a great number of men and women to a hostill maner to oppose the Secreet Counsells decreit as also the presbatries ordors, Sir William alwayes saying that non should hear him in reguaird he was excomunicat. Mr. Spence spearing whither Sir William or the Kirk of Scotland was judges to that, Sir William saying, the Kirk, it was repleyed when the Generall Assemblie had declaired the nullitie of it. So wee turned back a litle, not opening our mouths to them, but they ran after us crying and cursing and making a heidious noiss; so wee was forced to preatch in the open feilds both foornone and afternoon, and they did keep watch all day that we should not go to the church. Sir William is also discharging some of our number to use their lawfull callings, quhich their forbears hes used in that place this fourscore of years and more, saying that as he hes erected the toune in a regallitie, non shall trade there but such as he pleases, also troubling others of us at his court

without any ground, so that wee will not get leived with him unless he be taken course with. And seing he hes not taken the oaths requyred in law, he ought to be putt from his office aither as shirreff or bailzie of the regallitie. Wee know not what to doe again Sabath next, so desyres that ye will consult with freinds what wee shall doe and send me ane ansuer with the bearer. Our presbatrie will sitt on Wednesday nixt, and it is lyke some will be ordered to come over to you. I pray concerne yourself in this affair and you shall be satisfied, for all together his men is threatning to take my liff and others of our number. If the Counsell doe not somthing to prevent it, they will trample upon us outright. Ther wer nothing better then to send ane companie or two of souldiers to lay upon the men and women that appeared in such a hostill maner on the Sabath. He [Sir William] hes had it at the Counsell on Thursday as I supose, but ye will find that he hes said that he came only to hinder trouble, but wee can prove it by themselves that the multitud was conveened by the officers, and he sent his oun man on Sabath morning for Powmill and his son, for many of them was raised out of ther beds in the morning. The officers was also in the other paroch on Saturday. Freely, ther hes not been the lyke heard tell of that seven or eight score of persons should have gathered together in such ane hostill maner and so directly contrair to authoritie and to oppose the gospell. I shall forbear till I see you. . . . to give you ane fuller accoumpt, so rests, Sir," &c. (*sic subscribitur*). Rot. Steidmond. He adds "The Counsell clerk will tell you if hee had it in the Counsell and quhat done in it. Let us know quhen the Counsell will sitt by a lyne, and how wee shall behave everie way. If it shall be said by Sir William that he came out to prevent trouble, yet besyds the sending of his men and officers through the countrey and toune to conveen that tumultuous croud, yet it is evident and can be testified by hundreds of witneses that Sir William was so farr from compessing them that he did oppenly head them, and [was] the only man that did challeng Mr. William [Spence] and those that wer with him, saying, when he mett with them, 'Not one foot farder'."

221. Ane accompt of the names of those that appeared with Sir William Bruce in ane hostile maner," &c., on Sabbath, 15 March 1691, in opposition to Mr. Spence, appointed by the Presbytery of Dunfermline to preach in the parish church of Kinross on that day. "Imprimis, Sir William Bruce, his haill domestick servants, men and women, to witt, Daniell Reid, Alexander Smart, both of them haveing guns and swords, William Cowie, William Warrender, Thomas Broun, James Lorimer, George Cook, all his borrowmen, all those that leads with horses and carts; James Shancks, gardener, his wyffe; his men that works in the yeard; James Kennoway, chamberland, his daughters, his servant woman; James Steedman, sheriff deput, and all the officeris of the court; William Gardiner, late bailey, his wyffe, his servant man and woman; Captain Robert Craufurd, of Powmill in the parish of Portmonour, who did draw his sword upon the minister; William Craufurd his sone, one that is drawing pay under King William in Leiviugstouns regiment of Dragouns; Andrew Hutson, flesher, his wyffe; 3 sons and daughter; William Imbrie, smith, his sons William and John; Walter Robertson, sadler, his tuo sons, and wyffe; Alexander Miller, measson, and his mother; Thomas Burghley, wyver; James Steidman, in Tounhead, and his servant man; Robert Birrell, brewar; his brother; William Lorimer with tuo pistolls; Thomas Alburne, pleasterer, and his man; William Reid, maltman, Robert Reid, maltman, and his wyffe, James

and John Reid, both sones to the said William Reid; William Low, his wyffe; David Moncreiff, apothecaire; John Guild and his daughter; John Watson, procurator fiscall, his three daughters; Mathew Borland, salter; William Corsbie and his wyfe; John Fair, wright, his wyfe, his men, and all the other wrights that are working in Sir Williams; Jannet Birrell, wyfe to David Mores; George Steidman, carier, his sons, William, John, George, Robert; Michaell Glass, carier, and Nicoll Glass, his brother; Margaret Robertson, relict of Patrick Steidman; William Fairnie, flesher; William Hay, taylor, Robert Steidman, shoemaker; William Ewing his family; Robert Donaldson, taylor, and his mother; John Thomson, measson, and his wyfe, and John Thomson, wyver, and his wyfe; John Barron, wyver, and his sons, James and Alexander, and their wyfes; Jannet Mercer, brewar, and her children and servant; William Duncan, merchant; John Dempster, goodman of the Mill; Jannet Hutson, water bearer, her daughter; Christane Coventrie, drepster; Margaret Whyt, water bearer, and her sone; James Grahame, turner in Alloway; Jannet Graham and her daughter, who hes brought furth 3 children, and hes never gotten a father to any of them; Jannet Smeittoun who hes brought furth one chyld, and hes not satisfied the church; Andrew Smeitton, wyver, and his wyfe and tuo daughters; Christane Whills, spouse to John Henderson, carier; John Honyman, elder, fisher, his sone John and daughter Mary; John Honyman, younger, fisher; John Ballantyn, measson, his man; James Honyman; James Mersers wyfe and her woman; John Elder, beddell. The abovenamed persons being warned, by the officers, on Sabbath morning to attend the said Sir William at a certaine place on the church way, named Murrays gate, and others that did not appeare are discharged his work, and from brewing in the toune and useing other tradeing. All these above named, within the toune, except Powmill and his sone. Followes these in other paroshes that are without the toune of Kinross. Item, in Clish parosh, Adam Livingston and James Beane servitors to James Livingston, goodman of the mill of Clish, ther; Robert Robertson, wyver at the Kirk of Clish; the beddell; John Arnot, tennent in Cassigour; John Johnstoune, tennent ther; Patrick Duncan; wyver ther, and his sone, tuo servants; ane man and woman of Martine Meldrums, tennent in Annaproch; Robert Henderson, parchment maker, in the parosh of Orwell, in the toune of Millatrort [Millnathort], and Agnes Donaldson, spouse to John Robertson, there."

222. "INFORMATION concerning the parochen of Kinross, upon the account of tumults that fell owt their the 15, 22, and 29 dayes of March 1691."

"You haveing receaved an account of the 15 dayes tumult already, I forbear to writt or speak any more of it. Upon the 22, two or 3 of the heritors, with wittnesses from without the parochen, went to the shiriff deput and James Kennaway, chamerland, and Powmill, who was heading that rable who was opposeing the Councills decreit and Presbiteries order, and required the deput to give free passadge to the kirk . . . and craved his protectione in goeing and comeing, which he denayed to give, whereupon wittness was required, and so wee stayed and preached at the east end of the toun of Kinross, in the open feild.

"Upon the 29 (notwithstanding the day befor, tuo of our number went with a nottar and took instruments, as you will see by the instruments), yet Sir Williams wholl domesticks, to witt, Daniell Keed [*sic?* Reid] Alexander Smart, stewart, William Warrender, groom, William

Cowie, ane other groom, Thomas Broun, falconer, Simon Mill, cook, James Steidman, porter, with the wholl servant women, James Kennaway, chamberland, his daughters and woman, Sir William his wholl wrights and plesterers, and who are straingers and mightie outragious and violent, many others of uther parochens, with a number of the inhabitants of the town, who hes litle concerment either in town or parochen, being most pairt young folk, with armes, as I wrott to you of befor; they not being contented to abyd be-east the town where they were the other two Sabboths, but came be-west the town and run upon all they saw comming to the kirk. And when wee was resolved to go west a mille bewest the kirk, and some of the people being gathred ther at a town called the Hetherfoord, their they fell upon the people and strook them so violently to the effusion of their blood, and many receaved sore blae strocks to the heazourd of their lifes. They ran upon all they did see comming to the place and strook both old and young round about the town that were of our number, and so they dissipat the meetting their. And then they cam in to the town, and in their furrie, with their armes they came about my hous (not having seen me quhair they wer) and searched all my hous and stobbed the bedds. I doubt not if they had found me but they would have taiken my life, as also to Robert Mores his hous, being one of our elders, and did the like, who I doubt wold have meet with the like that I wold have meet with, if they had found him; as also to two severall other dwalling houss of our nightbours, and their struk the honest men before their wiffes, which hes frighted some of them so that they are in most sad condition. They searched two or three villadges also without the town of Kinross, sayeing they were seeking for the minister both within the town and without it, with designe of violence against his person. The shirriff deput was looking on all the time untill they returned to the town, altho' he was required upon the Saturday by instruments, to protect us in comeing and goeing, as you will see by the instruments. Their was nothing lyke armes with any of our number, not so much as on wrong word from any, yet they spaired neither man nor woman, aged nor young, in so much that severalls are laid by from their work, and in hazourd of their lives. Wee are not saife to goe through the town for them. On Monday one of our elders daughters goeing betwixt her brothers hous and her faithers wes most violentiy struck down by a baiss woman, a servant here, who was thrust owt of S^{t} Andrews for her baissnes, altho the young woman was the most considerable mans daughter in the place, and just now being recovered from seekness, and what can uthers expect if they shall get way furder."

223. Copy Notarial Instrument, referred to in the preceding paper, made at Kinross, 28 March 1691, by James Gib, notary, narrating that Balintine younger of Balado, and James Horne in Craigtoun, as tutor and administrator for his son Robert Horne, feuar there, "for their interests, and for the peace and welfare of the paroch of Kinross" went personally to the house of Sir William Bruce, of Kinross, sheriff-principal of that shire. They explained to him the circumstances of the tumults of 15 March, and 22 March, as detailed in the preceding papers, and stated they understood it was designed a third time to prevent them worshipping in the church, praying Sir William, as sheriff, to restrain the tumultuous opposition they had met with; and the parties protested that if they were again opposed, Sir William should be liable for all damage. They also presented to him attested copies of the Council's decreet and the presbytery's order, which last

he inspected, but not the former. Sir William Bruce replied that James Ballentin and James Horne had no warrant to intimate the order of the presbytery, or did not show any; that the petition to the presbytery was falsely given by "Binigall" [Robert Steedman] as he had no warrant from the parishioners. Sir William then formally stated that he knew not why they brought the Act to him, or wherein he is concerned in it, and as to "Mr Spens violent method, by way of a rabble to threaten to take possession of the church of Kinross without any previous advertisement or order, whereby there has been so much mischeefe threatned in the nighbourhood and division and contention stated in the paroch, so that if he still insist, the cause of disorder flowes from, and is more in his power to prevent then by me to overcome, which I desire you as two of his ordinary hearers to inform him of, and as Christians, to desire him to prevent." Sir William refers the restraint of the mob to the sheriff depute, and declares he himself only went out to appease the tumult. The parties then proceeded to the house of James Steedman, bailie of Kinross, sheriff depute, giving him also copies as above, who said, if they proceeded further in the matter, he would not be concerned therewith. Instruments were then taken by all parties.

224. Paper headed "Information, 23 March 1691." The first paragraph states "Yesternight, Duncan Grant, lately a dragoon in King James forces, came to me in Henry Wighton's house, drawer in the Canongate tolbooth, and told me that one Donald Grant, now liveing in Kirkaldy, lately a trooper in the Earle of Airleys troope, was going to Hull with him, and some places ells, pretending that he would get a legacie from an uncle which he had liveing there; but withall desired me to give him a forelofe in name of some of the officers of Cuninghams dragoons, which he should name to me, and which I design to do." The two are to go to Carlisle, then to Hull and elsewhere. John Graut, lately dragoon, and now disbanded, has promised to lend his cloak, coat, and cape, to aid the above design. On Tuesday he is [to] receive money from the Master of Tarbat for his expenses. "The said Duncan Grant with the tree legg informed, me that the discontented ["Laird of Grant" deleted] being playing at the cards the last week with a discontented lord, whose name I forgott, ... which lord said in presence of the said Duncan Grant, that whenever King James should come into the countrey he would get friends enough, to which the ["Laird of Grant" as before] answered, "The Divell take the hindmost." To which the informer answered, quhat could be the reason of ["Grants"] sudden change; Duncan replyed that he had been better than 25,000 lib. Scotts of loss since the late revolution in respect of his disbanded regiment. Sir James Grant of Dalvey has promised to procure a pass to the said Duncan Grant as soon as he shall come over, from one Alexander Grant, an officer to the present dragoons; but Duncan tells me he hes no will to make so long a stay in respect that all the loyal Highlanders hes taken an oath, if they get any assistance, to shew themselves brave this year or never, and that more then 100 in this Town hes taken the foresaid oath, part whereof I know; but in particular David Watson, of Corslet, who was and continued all the last year in actual rebellion, and never since made his peace, but since lurketh in the toun, with whom I have conversed severall times, being convoyed in the night to him (because he was still jealous of me) by Robert More, the violer, as likewise by Walter Lamond, brother to the Laird of Lamond, whom I mett with accidentally in Mr John McClains chamber, Mr John McClain haveing

recommended me to the forsaid Walter Lamond as one that had suffered so much for King James, partly by travell and partly by imprisonment. Which recommendation oblidged him to carry me to Weadow Wardlaws opposite to the Tron, where he informed me that out of fear of the Earle of Argyle he was necessitat to take on in the Earle of Glencairns regiment; but all the while of his being an officer there, he keeped intelligence with the Highlanders, and that since he was disbanded he was joyned to those who were well wishars of the mathematicks, which is as much as to say in their way, that he had taken the forsaid oath." The writer suggests that Duncan Grant should be arrested in England, rather than Scotland, especially in Carlisle, and this to be done without discovery of the informer. He concludes "The three priests in Leeth, to witt, Gordon, Creighton, and Davidson his libertie (but by whose authoritie I know not) to come up every morning to say mass in the Cannogat or Edinburgh, which I'le prove under the paine of my neck; and particularly in M^rs^ Mary Byres house, sister to the Laird of Coats."

225. PAPER (a copy) indorsed "Account of the proceedings of a presbytry." [No date.] "I attended the presbitrie at Langton on Thursday last where the Earle of Home mett me attended with a great backing of his friends and followers, and in great passion took instruments against the presbitries unjustice and precipitancie, as his lordship called it, for rejecting his call and admitting of our call in favours of Mr. Lauder, and appealed from them to the Synod, to the Commission of the General Assembly, to the General Assembly, to the Privy Council and to King William, upon whose letter to the Commission of the General Assembly he founded mainlie (tho in my opinion without any shaddow or just pretence); and in end in great passion told the presbitrie to their face that he would oppose any man that they would offer to putt in there. And a gentleman of his companie said, in face of the presbitrie as he was passing out, That we might take heed to ourselves and blame ourselves if we mett with any skeath, meaning that they would oppose us by force of armes at the admission of our minister. And after the Earle came out I waited upon him to his horse, and took a glass of ale with him and his companie, and he told me in plaine tearmes that I behoved to excuse him in that, for with a great aseveration he said he would stand himselfe in the church doore and oppose our entrie, and if any minister were put in there he would come in over his bellie, unless I brought a partie of dragoons whereof halfe a duzon should be a sufficient number. I answered his lordship very calmlie, That I was not to debaite with his lordship by force of armes with our smal power, but I hoped what I had done was legall, and I doubted not but the law would protect and assist me upon my application to these in power and authoritie, since we had done nothing in all the steps of that affair but conform to the standing law of the kingdom made by the King and Parliament; and immediately thereafter returned to the presbitrie with my Lord Crosrigg and Lanton, two ruleing elders, and gave them an full account of all that had past betuixt the Earle and me. Who, haveing seriously considered the samen with what they had heard from the Earle and some of his companie in their own presence, did wisely resolve to forbear the planting of the church of Eccles till they advise with the Synod which sitts at Kelso toomorrow, who I doubt not but will send in some of their number to represent the samen to the Privy Council or Committee of the Council now at Edinburgh. Mr. John Veitch was present at the presbitrie and heard all that past there. If some course be not taken by their authoritie for

keeping the peace here, we need not expect to have a church planted here, where the Earle or his friends have any interest."

226. LETTER [copy] by King William, authorising the Scottish Treasury to continue Dr. Adam Frier in his post as Intendant and Overseer of Invalids in Scotland, and to pay him; also to pay and provide for the garrison of Fort William. Harwich, 2 May 1691.

227. COPY of a Letter written by [Sir Alexander M'Kenzie, one of the late Bishop of Orkney's sons] to his brother George M'Kenzie, clerk of Exchequer, at Edinburgh. 5 May 1691. "Brother, our Great Stewart went of yisternight for your pairts: he is gone with great designes, particularly (as I am informed) against me." He had charged the tenants for the cess conform to act of Parliament, and had personally (with the Laird of Brecknes) tried to agree with them, but they insisted on an absolute discharge without giving any thing. The Stewart had undertaken to manage their business without charge; "with this great and Christian speech, That wee have rooted out, &c., and the Bishops, and that he hopes to dryve out their children from this place." . . . He cannot make the gentrye of this countrey for him and resolves, if it be possible to arme and strengthen the commons (who will easily receave any impression from this reveiler) to support him." If the Stewart raises a suspension against the writer, a good cautioner is to be provided. [A note in the copyist's hand gives the name of the writer of the letter "who by his oppressiones hes laid waist and ley considerable of the lands of the bishoprick there, amounting to above 1000 libs of yeirly rent; and continuing in his unjust and illegall practises he did cause charge with generall letters of horning (quhich are now discharged in such caices) the haill tennents, fewers, &c. of the bishoprick for pooll money alleagit dew be them and imposed by the act in Quenisberries parliament a litle befoir Lopnes comeing from Orknay; quhich he hes now suspended, intending thereby farder to prejudge their Majesties interest by disabilitating the tennents, fewers, &c. to pay the yeirly rents to Lopnes, for [he] hes charged every tennent, &c. for 4 libs yeirly, quhairas many of them payes not so much of yeirle tack duty].

228. LETTER. Sir James Stewart, Advocate, to the Earl of Crawford. Nether Pollock, 4 May 1691. . . . "The acts of parliament are verie full as to weaponshawings of old, as well as to the militia of late, as may be seen at one vieu in the index under these tuo heads; and these acts with the Counsels knoun pouer to bind everie suspect man to keep the peace are in my humble opinion law eneugh both for putting the kingdome in a posture, causing all to bring furth their armes and horses, and securing such of whom there is any suspicion," &c. (Signed) "JA. STEWART."

229. LETTER, addressed to Sir Colin Campbell of Ardkinlas, from "W. Houstoun," a minister. "Tolboth of Edinburgh, May 30, 1691." He is willing to do what is required of him, to subject himself to the ministry, appear before any presbytery and submit himself to them according to the laws of the Church. And lest in his 'simplicitie' he be drawn away by his brother, Mr. David, he is willing to engage to the contrary. "Therefore, I would intreat your honor would speak to Mr. Rule and Mr. Kirkton and shew them this, and see if they will receave my bond and caution, it being incumbent for ministers to do it, and I being willing to give it, and that then they would speak to the

Earle of Craford and show him they receaved my bond and caution, that so I may be sett at liberty." He renews his promises. (Signed) "W. HOUSTOUN."

230. PACKET of Letters, addressed to "Mrs Forbes, at the Lady Largos lodgings in the Horss Wyne, Cannongate, Edinburgh." They are in various handwritings.

(1.) 2 June 1691. . . . There is a vast fleet landed from Brest in Ireland with provisions of all sorts for nine moneths. We are all very quiett here, tis sayd that the Confederat army is not halfe the number of the French. Our fleet is not yet gone out and many dyes aboard. King William has gott to the Confederats army, a battle is expected every day, the two armys within 3 miles of one another," &c.

(2) London, 4th June 1691. . . . As for news I'le write but little more, because I find even them that knows most are very often mistaken. . . . The Confederats army is joyning very fast; Buffliers has bombarded Leidge and burnt one of the most considerable streets and we have news as if the Germans had cutt off 2 or 3 squadrons of his horse and that they have raised the seidge of Leidge, but I fear there is no such thing. . . . The Dukes of Modena and Mantua have raised 14,000 men for the French and Monsr Cattinat gives 6,000 men to goe to Millan, and we have the badd news of the Queen of Spaines being dead and the King dangerously ill; but its like the Jacobites news, and wants confirmation. Our army and the French are very near one another, waiting on the others motion, and every moment we expect to hear of some action," &c.

(3.) 10th June 1691. The mail had been taken possession of by the Government, and it was feared that the King's army had been beaten, 14,000 men killed, and all their baggage lost, as the Jacobites report.

(4.) 11 June 1691. A letter from Bruxells of 4th June "says, that the 2 armys are encamped within 14 English miles of one another and reinforcements comes in every day on both sides, and a battle expected every day. The fleet is going towards France, they stay only for a wind," &c.

(5) Addressed to "Mrs. Forbes to the care of Sir Robert Colt, advocate" &c. [perhaps an intercepted letter] 13 June [1691 ?]. "You may gess how mutche I was trobeld when I herd you wer taken but not at all sorprisd, for befor you went I told you my fairs and inded I wiche you had bein advised to hau stade hir; it was but ill entertenment, but however it was beter then that horid tolbouth, wher I faire your health will be in danger; for I have had the horrid descripsion frome wone that has beine in and thet has hardly bein well sence, but for God sake take car of your selfe, and dow not drinke but bee as sober as you can, and if it be posibel, kepe, as the Queqer saises, your tong in prisone, that in time your body may walke abowte." The writer, who is apparently a woman, writing to a man, assures "Mrs Forbes" that everything will be done for him, that he will be removed to the Castle and otherwise assisted.

(6.) Mrs Forbes at Lady Largos, &c., 16 June 1691. . . . "All the Scotch officers are upon there march from Paris, and my Lord Mountcastles is remanded back from Catinatt. . . . Monsieur Boufleurs has burnt a 1,000 houses in Leige, and the toune pays contribution and has joyned the Mareshall de Humieres in a body against the Confederates and the Duke of Luxemberg in another, one before and the other behind, to hinder all provisions, which they want very much. King William has retir'd 4 leauges and Luxemberg

advanced one. King William is at Betheem Abby neare Lovaine. The Lord Dunbartons regiment is wholy gone to the French and divers others whole companys goes togeather to the number of 3,000, insoemuch that they dare not give an account. They have putt all the English in garrison by reason they dare not venter them in the feild, which is thought the occasion of King Williams retreat toward Lovaine and Maestrieke," &c.

231. LETTER to "John Anderson, nottar publick in Aberdeen," from his brother. Edinburgh, 17 June 1691. The writer sends love, &c.; he is at present employed in the Post Office. "We had a reporte here yesterday of 4 prisoners in the Bass have taken possession of the same, findeing an opportunity by all the soldiers goeing out to fetch in coalls that came to the foote of the roke in a small bark for the use of the garrison; and on their returne wold not suffer them to come in, haveing secured the sentry, who was all they left and another man in the garrison at their outgoeing. Its said they have considerable provision within for a year to 40 men. The soldiers with the serjeant is said to have come to toune yesterday." He tells of a rumour that the Confederate army had been defeated by the French before Bruxelles, but it is hardly credited, &c. (Signed) "ROBT. ANDERSON."

232. LETTER "Jo. Buchan" to Sir Thomas Livingstone, Commander in Chief, &c. Aberdeen, 23 June 1691. He encloses a letter, the origin of the Jacobite report that the Confederate army was defeated, and suggests that the writer be punished. [This appears to be the preceding letter.] The brother "is not well affected and is on of those that came out of Dunotar upon bail." He adds, "It wold contribute very much for the safety and good of the contrie, if the counsell or ye wold order the respective garisons to take the same bondes of the adjacent Highland heritors as Major Wishart hath done of those of Glengardne."

233. COPY Act of the Privy Council of Scotland. "Edinburgh, 25 June, 1691, narrating, first, a petition by the Earl of Perth, founded on medical certificates, that his health has grievously suffered by his long imprisonment; and second, a petition by the Countess of Crawford that the Earl may not be released till he bring home her two sons, the Earl of Wigton and his brother. The Council direct Captain John Erskine, Lieut.-Governor of the Castle of Stirling, to deliver the Earl to a guard sent for him by Sir Thomas Livingstone, the Earl binding himself in £5,000 sterling not to escape, to do nothing against the Government, and to use all efforts to recall the Earl of Wigton, &c.; also that he shall remain within the town of Dalkeith, yards and parks, to which the Lords confine him, or if he is unable to travel there to the town and park of Stirling." [A copy of the Earl's bond is indorsed.]

234. PAPER indorsed "Memorandum about the Marquis of Athole," relative to another disputed church settlement. "Upon the day of August [16]91, being the Saboth day, M[r] — Douglas, minister att Logie, having com by warrand of the presbetrie of Stirling to the Kirk of Fossoquhey, to serve M[r] William Spence his edict. Treu it is, that the Marquis of Atholl sent John Strang, his gairdner, and 18 men (whois names shall be heirefter sett doune) armed with swords, guns, durks, baganeits, and other such wapons; and having planted themselves at the entrie to the kirke yeard and severall other parts, they with others of their accomplishes, viz., John Dempster of Hillhead, John

Mershall in Garwhingean, John Paton of Cowdoun, chamberland to the Ladie Adie [Aldie?], John Paton, son to James Paton of Midle Bellilisk, Master James Mercer in Craighead, John Hutton of Easter Bellilisk, John Gibbe in Balrudrie, and many others, opposed and stoped M^r^ Douglas, and such as wer in his companie, and would not suffer them to enter the kirk, and John Strange gave orders to shoot the first who presumed to enter the yett. And when M^r^ Douglas turned about and went from them they cryed efter him, 'Away, Whigs, away, Huy, Huy, tyks efter them." And M^r^ Irland, last incumbent ther, went and took possession of the kirk, and preached that Lords day and so hes continued to do since, albeit he most justlie by the Commission be deposed for severall high crymes as sacraledge, oppression, cheating the leidges by granting false discharges and many other things too tedious heirin to name. And upon the day of the said moneth, the said John Paton, chamberland forsaid, sent the officer of the barronie and his own servent, Robert Henderson, and warned all the tennents of Aldie to repair to the kirk the nixt Lords day therefter with armes vnder the pain of 40 lib., for opposing the Presbiterians to enter the kirk and defending Mr. Irland therin: quhich is ane high ryot against the acts of parliament to convein his Majesties leidges with armes, especiallie on the Lords day, and is a plain stating himselve in oppositione to the present Government."

235. A LETTER, unsigned, to the Earl of Crawford. St. Gerard, August $\frac{27}{17}$, 1691. "My Lord,—Ther was a petition presented to the King by M^r^ Houstoun, not the sam he brought from Scotland, but with litle difference representing cheifly that he had been made prisoner without any caus knowen, and craving his Majestys protection; 2^do^ that he was called by the parish of Miniabroc to be minister and yett not suffered to injoy his benifice; 3^to^ that he and his relations had suffered and bein plundred to the value of fyv or six hundreth libs. sterling; 4^to^, offering in the naim of thes who did adher to him, to raise a regiment to serve the king gratis. I was commanded by the King to giv him these ansuers. To the first, he and all the King's peaceable subjects uer under his protection from any violence; to the 2^d^ that if the parish heritors and others did call him according to law, the church must receav him except they hav a legall reason to the contrair; to the 3^d^, he was free to apply to the Commission for liquidating and stating loses; for the foort, the King did beleiv they wer affectionat to him and did love him better than any other king, and thanked them for ther offer, and wold acquaint them when he had use for it. In short, its not proper for him to complain or inveyht against the rest, which givs the commonenimy advantage, nor is it fitt that thes people should be so used as to believ that his Majestys goverment will be auerss to them, bot that they may be quiett and peacable. I am. [The handwriting is apparently that of Sir John Dalrymple.]

236. COPY PETITION to the General Assembly of the Church of Scotland, at Edinburgh, 1 November 1691, from the Magistrates and others, inhabitants of Aberdeen. "Quhairas it is not unknown to this Venerable Assembly, of quhat speciall importance the promoting of true piety and godliness in the power and life of it, and of the Presbyterian interest in order therto amongst us, is for the safety and stability of the quhole Church, and the good and advantage of it in this quhole countrey, Aberdeen being in effect the center, quhich sends forth the lines of good or bad influences through all the north, and the theater quhairupon the prelatick faction cheifly act their part,

and are aped by all the rest of that persuasion round about; and yet it is in most destitute circumstances, and stands most in need of supply from other places which are provided. And quhairas by the good hand of the Lord upon us, the Presbyterian congregation in the place is greatly augmented, and in the way to a further increasce if supplied with able and faithfull ministers, and in no less hazard of being reduced to a small number again through the industry of the enemies of the reformation of the Church if we be neglected at this time. And, finally, in regard, Mr. William Ker is, to our no small greif, now leaving us and going home to his charge, and we cannot amidst so great paucity of Presbyterian ministers in the north, be provided otherwise then by the order of this Venerable Assembly ordering a sufficient and sutable supply of our want, out of the abundance that is in the south." They, therefore, crave the Assembly "seriously to consider our destitute case, and to ponder the singular weight of it and in commiseration of many hungering souls that are desirous of the Gospell in its power and purity, to send tuo wise and faithfull ministers at present to preach amongst us, and also to order for us a successive supply by others such like, quho may continue by course to preach unto us untill ther be ane effectuall course taken for the reformation of this city, and the settling a Presbyterian ministry therein," &c.

237. LETTER to a brother minister [address wanting] from Mr. James Aird, Torryburn. "Torriburne, 17 November 1691. Reverend brother,—You desire ane account of my deposition from my late charge; I send you it here. I no sooner heard of the then Prince of Orange his miraculous landing, then I thought and on every occasion said I look't upon him as ane angel drop't from heaven in such a crisis of affairs as we were in." He prayed for the prince, first as prince, then as king, and he had only received the proclamation of 13 April officially, so late as 7 May 1689. He was cited before the Council in August, but had obeyed the law by praying for their Majesties; and Lord Crawford, President of the Council, deserted the diet against him, as he was convinced of his innocence. This is the truth, which most of his parishioners and hearers can witness, "only such of my parosch, and those not many, who have no quarrell with me (but the difference of opinion) pursued and libelled me again, upon ane invidious and odious expression which they nather could prove was of the then Prince of Orange, as will appear beneath; and I can assure you, by a demonstration so much as a moral can admitt, was of the King of Fraunce, of whose hard usage of the Protestants and the report of his landing in to England then, I was so sensible and apprehensive as I had that expression, which is Scripturall, Put a hooke in his nose, &c., and which not only all my indifferent understanding hearers constantly assert that it was of the King of Fraunce, but ev'n my accusers could not certify, that it was of the then Prince of Orange, not then declared king here, since they witnessed that it was about the end of December 1688 and beginning of January 1689, about the time, which they thus descryhed, to wit, that the Chancelour was taken at Kircadie; upon which, and I suppose, had it been spoaken or proven to be spoake of King William, becaus it was in a tyme wherein I could not have broke any law that way, being none extant against such expression of my zeale. This was not in my sentence, only to my best remembrance my sentence runne upon that of my praying for the afflicted prince, and not reading the proclamation in due time . . . As for the praying for the afflicted prince, I did openly and ingenously pronounce the very words before the Privie Councel, wherein I prayd for him, being

thereto encouraged by understanding men that it was harmles and unreprovable, and the words were these, The Lord open the eyes of the afflicted prince (this was when I was praying for the rest of the royall family) that he may see his error, and deliver him from superstition and idolatry. I have both honorable and learned persons, who may well be suppos'd to be more understanding then my accusers, and sure of more noble and just dispositions than to witnes against truth, and the voicinage also could witness. Thus, for your satisfaction and curiosity, is, reverend brother, from your worthles but affectionat brother. JA. AIRD."

238. THE following is of uncertain date. "January 9" [1690 or 91]. "Its reported here that the Scotts have seased all the bisket and other provisions made for the Danes, have seized the money which came down to pay them, broke open the chists and waggons with money and has payed their own countrey souldiers with it; also by night have seized all the Danish troopers horses and have mounted them and done other odd things. Lord Melvill presses his Majestie to go in person or send some forces there. One or both will be done according to what he and his partie desire in order to garrison that countrey which will offend persons. It's said [words deleted but evidently 'Duke Hamilton'] is false to King William. Pray lett Mr. John Frazer know the certaintie of these heads and you will oblidge your friend, JA. FORBES." I admire much that the Council putts not in a garison in my Lord Frendraughts house where my Lady Arroll, dowager, stayes. My Lord comes and goes off from the Highlands and gives intelligence what is doing both at Aberdeen and Bamffe. Captain Alexander Grant, who is in Grants regiment, is the most fitt man to putt in it, if it were the Council's will. There is also my Lord Buchan and Liv^{t}.-Coll. Gordon, with 28 persons more with him staying openly at my Lord Frazers house and in Haddo besyde Frazersburgh in Buchan, and keeping their night watches; also many more persons come down and are liveing peaceably in Bamffe and Aberdeen shyres, and noe order given to apprehend them, no, nor commander offering to take them. This gives badd encouragement to those who wishes the government well, and also makes many disaffected persons where they stay. Give they be not taken shortly they will go back and many more with them to the hills. My Lord Frendraught comes to his own house frequently and Captain Grant told me this day, if he had an order to stay in that house with the halfe of his company, he would undertake to take my Lord and keep the head of our shyre peaceable. This house is within 10 myles of Bamffe."

239. LETTER to the Earl of Crawford, also of uncertain date. It is neither signed nor dated. "My Lord,—After what I overheard in discours betuein tuo persons of qwaletie (whos nams I consill becaus of my kyndnes to both) the other day upon the striet neir to the Bull Taverin, I am perswaded the stoping of the Lady Maittlans going into France will prove as considerable a pice of service to the present const[it]ution as the laying by the heells any other person whatsoever within this kingdom. She goes fullie instructed by the wisest and the greatest of King James parttie heer, and tho she be no swift (?) mesenger, yet her sence and inclination entitles her to give the latte qwien true mesurs as to what passes heer. She is to pairt from this in feue days for London, and the way to obviat her disings is to inqwir if she be going and not to suffer her to depairt this kingdom without giving suffeciant baille not to goe into France. This is from a well-wisher to

ther Majesties, and if you take nottice of this advertisment from your lordships humble servant."

240. Copy Petition by Marion Charters wife of John McMillan, presented to Queen Mary, setting forth that her husband was sentenced to death by the Lords of Justiciary for the slaughter of Thomas Grierson of Bargalton, but the Privy Council thinking his case deserved consideration reprieved him and also recommended him to King William through Earl Melville. The King granted further reprieves and desired a copy of the trial and depositions, but ere these were sent up his Majesty had gone for Holland. From that copy it is evident "1° that the said slaughter was casuall and occasioned only by the petitioners husband shooting a pistoll at the drinking of his Majesties health upon publick rendezvous; 2° that he did never pursue or advance towards Bargalton, but by the contrary when Bargalton pursued and beat him severall times severely, he did alwayes retire and goe back from Bargalton, begging earnestly that he would let him alone, using expressions as in the process contained. This he did untill he was laid hold on and seized by Bargaltons man at his command and his ladies. 3° That Bargalton did 2 severall times advance towards and severely beat him when he was so seized and held, the last of which times Bargalton received the fatal wound whereof he died. 4° Becaus the petitioners husband did never thrust at or give any stroke to Bargalton; by all which it is apparent that the prisoner had no prejudice nor evill designe against him. The petitioner prays her Majesty to commiserate her husband and the "lamentable state of their poor family which is reduced to a starving condition through his long imprisonment," and reprieve the prisoner untill the King's return. [There is also a copy of the Queen's letter to the Council for a further reprieve until the King return and his pleasure be known. This is in consideration of the petition and the deplorable condition of the petitioner, at a distance from her husband and five small children. Not dated, but written in June 1690. Cf. N° 142 *supra*.]

241. Memorandum [without date] of "The names of the disaffected ministers in Banffsheir." "1 Sir James Straquhan, minister at Keith, prayes for King James not for King William. 2. Mr Arthour Straquhan, minister at Mortlech, prayes for King James, and caused list fencible men in his paroch for my Lord Dunfermling and prest them to goe out. Mr James Henderson, minister at Deskfurd, hes not read the proclamation nor prayes for King William. 3. Mr John Hay, minister at Rathven, hes done the same. 4. Mr Patrick Chalmers, minister at Boyndie, neir Bamf prayes for all banished princes and to restor them to thair awn, and prayes not for King William. 5. Mr John Innes, minister at Gamrie, doth the like. 6. Mr Alexander Ker, minister of Graing, that sam. They all make a mock of the Counsels proclamation and doe stirr up their people to rebellion, and that non of thair parishioners will debate them."

William Fraser.

Edinburgh, 32, Castle Street,
8th June 1895.

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